

1997 Noncode Acts

1988-202-1

SECTION 1. (a) The University of Evansville shall have the right to use such real estate for any purpose associated with or related to its operations. The University of Evansville shall have the right to convey a portion of such real estate to the Evansville-Vanderburgh School Corporation and such school corporation shall have the right to construct an athletic stadium and related facilities on such portion of the real estate. The University of Evansville shall also have the right to lease or rent to Evansville State Hospital any residence or residences located on such real estate. The University of Evansville shall also have the right to convey a portion of such real estate, approximately twenty (20) acres or less, to the state of Indiana to construct and operate a new armory and maintenance facility and the remainder of such real estate to the city of Evansville to maintain and operate a municipal park. However, any portion of such real estate at any time used for industrial, commercial or residential development or other uses not associated with or related to the operations of the University of Evansville or the specifically above-described uses or operations of the state of Indiana, city of Evansville, and such other specifically named organizations, shall revert to the state of Indiana. The provisions of this SECTION shall be included in the deed to the University of Evansville.

(b) For purposes of removing the restrictions contained in subsection (a), the Indiana department of administration shall convey the following part of the real estate to the University of Evansville on behalf of the state:

Part of the Southeast Quarter of Section 22, Township 6 South, Range 10 West and Part of the Southwest Quarter of Section 23, Township 6 South, Range 10 West, in the City of Evansville, Vanderburgh County, Indiana, being part of the property conveyed to the University of Evansville by the State of Indiana and recorded in Deed Record 691, pages 492 to 495, in the office of the Recorder of Vanderburgh County, Indiana, more particularly described as follows:

Commencing at an iron rod in a monument box (found) at the southeast corner of Section 22. Thence north 89 degrees, 44 minutes, 33 seconds west a distance of 588.86 feet along the south line of Section 22 to the east line of Dexter Avenue extended. Thence north 00 degrees, 00 minutes, 00 seconds east a distance of 50.00 feet to the north line of Division Street which is the true point of beginning. Thence continuing north 00 degrees, 00 minutes, 00 seconds east, along the east line of Dexter Avenue extended, a distance of 200.00 feet to the southwest corner of the property owned by the United States of America and recorded in deed Record 617, pages 502 to 504. Thence south 89 degrees, 44 minutes, 33 seconds east a distance of 591.05 feet to the east line of Section 22. Thence south 89 degrees, 15 minutes, 10 seconds east a distance of 108.95 feet. Thence south 00 degrees, 00 minutes, 00 seconds west a distance of 39.82 feet. Thence north 89 degrees, 06 minutes, 47 seconds west a distance

of 15.45 feet. Thence south 87 degrees, 48 minutes, 07 seconds west a distance of 93.96 feet to the east line of Section 22. Thence continuing south 87 degrees, 48 minutes, 06 seconds west a distance of 210.25 feet. Thence south 69 degrees, 11 minutes, 08 seconds west, a distance of 407.13 feet to the point of beginning, containing 1.45 acres.

Subject to a 15 foot wide easement for ingress and egress conveyed to the Evansville-Vanderburgh School Corporation and recorded in Deed Drawer 1, Card 7321 in the office of the Recorder of Vanderburgh County, Indiana. Subject to utility easements of record.

(c) The following apply to the conveyance required by subsection (b):

(1) The conveyance shall be made upon the following condition:

(A) Billboards may not be placed on the real estate.

(B) The University of Evansville shall use the proceeds of the sale of the real estate for the purpose of providing improvements upon the real estate to be conveyed to the City of Evansville as described in subsection (a).

(2) The Indiana department of administration shall convey the real property by a quitclaim deed.

(3) IC 4-20.5-7-17, IC 4-20.5-7-18, and the rules of the Indiana department of administration, to the extent not inconsistent with this act, apply to the conveyance required by subsection (b).

As added by P.L.202-1988, SEC.1. Amended by P.L.250-1997, SEC.1.

1993-63-2

SECTION 2. (a) Notwithstanding IC 5-14-3, a sales disclosure form under IC 6-1.1-5.5, as added by this act, is not a public record and may only be used by the county land valuation commission or persons acting on behalf of the county land valuation commission for the purpose of determining land values under IC 6-1.1-4-13.6 and by the state board of tax commissioners or persons acting on behalf of the state board of tax commissioners. Information contained on a sales disclosure form may not be used in a:

(1) review of an assessment under IC 6-1.1-8, IC 6-1.1-13, IC 6-1.1-14, or IC 6-1.1-15;

(2) petition for a correction of error under IC 6-1.1-15-12; or

(3) petition for a refund under IC 6-1.1-26.

(b) This SECTION expires December 31, 1999.

As added by P.L.63-1993, SEC.2. Amended by P.L.6-1997, SEC.241.

1994-78-5

SECTION 5. (a) As used in this SECTION, "commission" refers to the Indiana commission on mental retardation and developmental disabilities established by this SECTION.

(b) The Indiana commission on mental retardation and developmental disabilities is established.

(c) The commission consists of the following members:

(1) Two (2) members of the house of representatives appointed by the speaker of the house of representatives. The members

appointed under this subdivision may not be members of the same political party.

(2) Two (2) members of the senate appointed by the president pro tempore of the senate. The members appointed under this subdivision may not be members of the same political party.

(3) Three (3) members at large appointed by the governor. Not more than two (2) members appointed under this subdivision may be members of the same political party.

(4) One (1) member appointed by the governor who is a consumer of mental retardation/developmental disability services.

(5) One (1) member appointed by the governor who is a representative of advocacy groups for consumers of mental retardation and developmental disability services.

(6) Two (2) members appointed by the governor who are representatives of families of consumers of mental retardation and developmental disability services.

(7) One (1) member appointed by the governor who is a representative of organizations providing services to individuals with mental retardation and developmental disabilities.

The governor shall make appointments required by subdivisions (3) through (7) before May 16, 1994.

(d) The chairman of the legislative council shall designate a legislative member of the commission to serve as chairman of the commission.

(e) Each legislative member and each lay member of the commission is entitled to receive the same per diem, mileage, and travel allowances paid to individuals serving as legislative and lay members, respectively, on interim study committees established by the legislative council.

(f) The commission shall do the following:

(1) Develop a long range plan to stimulate further development of cost effective, innovative models of community based services, including recommendations that identify implementation schedules, plans for resource development, and appropriate regulatory changes.

(2) Review and make recommendations regarding any unmet need for mental retardation and developmental disability services, including the following:

(A) Community residential and family support services.

(B) Services for aging families caring for adult mentally retarded and developmentally disabled children.

(C) Services for families in emergency or crisis situations.

(D) Services needed to move children and adults from nursing homes and state hospitals to the community.

(3) Study and make recommendations for the state to contract with a private entity to manage and implement home and community based services waivers under 42 U.S.C. 1396n(c).

(4) Study and make recommendations regarding state funding needed to provide supplemental room and board costs for

individuals who otherwise qualify for residential services under the home and community based services waivers.

(5) Monitor and recommend changes for improvements in the implementation of home and community based services waivers managed by the state or by a private entity.

(g) The commission shall submit its findings and initial recommendations to the governor and the general assembly before December 1 of each year.

(h) This SECTION expires January 1, 2001.

As added by P.L.78-1994, SEC.5. Amended by P.L.245-1997, SEC.2.

1994-172-4

SECTION 4. (a) The local government finance study commission (originally established under P.L.32-1992, SECTION 8) is reestablished by this act.

(b) The commission consists of eight (8) members who shall be appointed by the persons authorized under P.L.32-1992, SECTION 8, to make the original voting member appointments to the commission. A voting member appointed under this subsection serves at the pleasure of the appointing authority.

(c) The commission consists of twelve (12) advisers who shall be appointed by the persons authorized under P.L.32-1992, SECTION 8, to make the original adviser appointments to the commission. An adviser appointed under this subsection serves at the pleasure of the appointing authority.

(d) If a vacancy exists on the commission or among the advisers, the vacancy shall be filled by the person who made the original appointment under P.L.32-1992, SECTION 8.

(e) The chairman of the legislative council shall name the chairman of the commission.

(f) The reestablished commission shall continue the activities of the original commission and shall conduct a study of matters concerning local government, including the following:

- (1) Ways to simplify and recodify statutory property tax controls.
- (2) Revenue sources and uses of the revenue.
- (3) The impact of property tax controls on economic development.
- (4) Alternative sources of revenue that are not derived from property taxes.
- (5) Substantive changes to the Barrett Law.

(g) The commission shall operate under the direction of the legislative council as follows:

- (1) Staff services shall be supplied by the legislative services agency.
- (2) The office of fiscal and management analysis shall conduct a special inquiry into the financial organization of local government under the direction of the commission.
- (3) The commission shall issue a final report before November 1 of each year or at other times determined by the legislative council. Copies of the report shall be given to the governor and legislative council.

(h) Travel and other expenses shall be paid as follows:

(1) Each adviser to the commission who is not a state employee is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). Each adviser is, however, entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the adviser's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(2) Each adviser to the commission who is a state employee is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the adviser's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(3) Each member of the commission is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on interim study committees established by the legislative council.

(i) The commission expires November 2, 2001.

(j) This SECTION expires November 3, 2001.

As added by P.L.172-1994, SEC.4. Amended by P.L.242-1997, SEC.1.

1995-8-76

SECTION 76. (a) As used in this SECTION, "commission" refers to the Indiana election commission established by IC 3-6-4.1-1.

(b) As used in this SECTION, "election division" refers to the election division of the secretary of state's office established by IC 3-6-4.1-1.

(c) An individual who, on December 31, 1996, serves as a co-director or an employee of the commission, serves as a co-director or an employee of the election division after December 31, 1996, with all the rights, duties, and conditions of employment the individual had as a co-director or an employee of the commission before January 1, 1997.

As added by P.L.8-1995, SEC.76. Amended by P.L.3-1997, SEC.472.

1995-68-4

SECTION 4. (a) As used in this SECTION, "fund" refers to the Indiana state teachers' retirement fund.

(b) The amount determined in the following STEPS shall be paid from the annuity reserve account of the fund on November 1, 1996, to any person who was a retired member (or a survivor or beneficiary of a retired member) of the fund as of July 2, 1995, and who was entitled to receive a monthly benefit on October 1, 1996. The amount shall be paid in a single check. The amount is not an increase in the pension portion of the monthly benefit.

STEP ONE: Determine the difference between:

(A) the balance in the fund's retired teacher annuity reserve account as of June 30, 1995; and

(B) the computed liability of the annuity portion of the normal

allowance for the retired members as of June 30, 1995.

STEP TWO: Multiply the STEP ONE result by ten percent (10%).

(c) The amounts distributed under subsection (b) shall be distributed to each retired member (or survivor or beneficiary of a retired member) who meets the requirements of subsection (b) in an amount determined under the following steps:

STEP ONE: Determine the sum of:

(A) the total number of years of creditable service (excluding creditable service under Acts 1965, c.410, s.4) in the fund of all retired members eligible to receive a portion of the distribution; plus

(B) the total number of years that all retired members who are eligible to receive a portion of the distribution have been retired.

STEP TWO: Determine the sum of:

(A) the eligible retired member's total number of years of creditable service (excluding creditable service under Acts 1965, c.410, s.4) in the fund; plus

(B) the total number of years since the eligible retired member retired from the last covered position held by the member.

STEP THREE: Divide the amount determined in STEP TWO by the amount determined in STEP ONE.

STEP FOUR: Multiply the amount determined in STEP THREE by the amount of the distribution under STEP TWO of subsection (b).

STEP FIVE: Determine the greater of fifty dollars (\$50) or the amount determined in STEP FOUR.

(d) This SECTION expires December 1, 1996.

As added by P.L.68-1995, SEC.4. Amended by P.L.39-1997, SEC.2.

1995-68-6

SECTION 6. (a) As used in this SECTION, "fund" refers to the public employees' retirement fund, with respect to members (and survivors and beneficiaries of members) of that fund, and the excise police and conservation enforcement officers' retirement plan, with respect to members (and survivors and beneficiaries of members) of that fund.

(b) The amount determined in this SECTION shall be paid from the fund November 1, 1996, to any person who was a retired member (or survivor or beneficiary of a retired member) of the fund as of July 2, 1995, and who was entitled to receive a monthly benefit on October 1, 1996. The amount shall be paid in a single check. The amount is not an increase in the pension portion of the monthly benefit.

(c) The greater of the following shall be paid from the fund to a retired member (or the survivor or beneficiary of a member) who meets the requirements of subsection (b):

(1) Fifty dollars (\$50).

(2) The amount determined as follows:

STEP ONE: Determine the product of twelve (12) multiplied by the pension portion (plus postretirement increases to the pension portion), provided by employer contributions, of the

monthly benefit payable the month before the payment is made under this SECTION to the member or a survivor or beneficiary of the member.

STEP TWO: Multiply the amount determined in STEP ONE by the applicable percentage from the following table:

Calendar Year of Last Retirement of Member	Applicable Percentage
1950 through 1967	7%
1968 through 1975	6%
1976 through 1979	5%
1980 through 1983	4%
1984 through 1987	3%
1988 through 1995	2%

(d) This SECTION expires December 1, 1996.

As added by P.L.68-1995, SEC.6. Amended by P.L.39-1997, SEC.3.

1995-93-24

SECTION 24. (a) As used in this SECTION, "commission" refers to the commission on health care issues for the working poor established by subsection (d).

(b) As used in this SECTION, "commissioner" refers to the state health commissioner.

(c) As used in this SECTION, "department" refers to the state department of health.

(d) The commission on health care issues for the working poor is established.

(e) The purpose of the commission is to study and evaluate access to health care coverage for the working poor and identify means for providing the working poor with affordable health care coverage.

(f) The commission shall do the following:

(1) Study and analyze the demographics of the working poor, including the following:

(A) Defining the terms "working" and "poor".

(B) Determining the number of working poor in Indiana.

(C) Determining how the working poor gain access to health care.

(D) Assessing other factors relative to demographics of the working poor and how those demographics affect health care for the working poor.

(2) Identify sources of affordable health care coverage for the working poor, including an examination of the following:

(A) Whether it is feasible and if there is an interest in providing health care coverage for the working poor through the private insurance market.

(B) The role of current state and federal:

(i) programs; and

(ii) funds;

in supplementing private or public health care coverage for the working poor.

(C) The existence and availability of governmental funds for providing health care coverage for the working poor.

- (D) The existence of any other funds that may be used for health care coverage for the working poor.
- (E) Whether it is feasible to integrate the working poor into established or new risk pools when providing health care coverage for the working poor.
- (F) The mechanisms needed to evaluate health outcomes under a plan established for providing health care coverage for the working poor.
- (G) The mechanisms needed to evaluate the cost effectiveness of a plan established to provide health care coverage for the working poor.
- (3) Identify in the report required under subsection (o) one (1) or more plans for providing health care coverage for the working poor.
- (g) The commission consists of the following members:
 - (1) The commissioner, who shall serve as chair.
 - (2) Two (2) members of the senate, who may not belong to the same political party.
 - (3) Two (2) members of the house of representatives, who may not belong to the same political party.
 - (4) Ten (10) members with expertise in the following areas:
 - (A) Information as to how the working poor gain access to health care under health care systems operating on the date this act becomes effective.
 - (B) Barriers experienced by the working poor in gaining access to the health care system.
 - (C) Health care data requirements and systems necessary for accomplishing the tasks of the commission.
 - (D) Private health insurance.
 - (E) The medical delivery system.
 - (F) The economics of the health care system.
 - (G) The primary health care system.
 - (H) The measurement of health outcomes and other quality indicators.
 - (I) Expertise the commissioner considers necessary for accomplishing the duties of the commission under this SECTION.
- (h) The members of the commission shall be appointed as follows:
 - (1) Members described in subsection (g)(2) shall be appointed by the president pro tempore of the senate.
 - (2) Members described in subsection (g)(3) shall be appointed by the speaker of the house of representatives.
 - (3) The commissioner shall appoint members described in subsection (g)(4), not more than five (5) of whom may belong to the same political party.
- (i) Eight (8) members of the commission are required for the commission to conduct official business.
- (j) Recommendations from the commission must receive the support of a majority of the voting members of the commission.
- (k) Each member of the commission is entitled to receive the same per diem, mileage, and travel allowances paid to individuals who serve

as legislative and lay members, respectively, of interim study committees established by the legislative council.

(l) Funds necessary to carry out this chapter must be allotted to the commission from funds appropriated to the department.

(m) The department shall provide staff support to the commission.

(n) The commission shall hold meetings at the call of the chair, with the first meeting scheduled not later than July 1, 1995.

(o) The commission shall submit a preliminary written report to the legislative council before January 1, 1996. The commission shall submit an interim written report to the legislative council before January 1, 1997. The commission shall submit a final written report to the legislative council before January 1, 1998, specifying a final plan or plans for providing health care coverage for the working poor.

(p) This SECTION expires February 1, 1998.

As added by P.L.93-1995, SEC.24. Amended by P.L.240-1997, SEC.1.

1995-335-1

SECTION 1. (a) The rail corridor safety committee is established.

(b) The committee consists of eight (8) members as follows:

(1) Four (4) members of the house of representatives appointed by the speaker of the house of representatives. Not more than two (2) members appointed under this subdivision may represent the same political party.

(2) Four (4) members of the senate appointed by the president pro tempore of the senate. Not more than two (2) members appointed under this subdivision may represent the same political party.

(c) The chairman of the legislative council shall designate one (1) member of the committee to be chairman of the committee.

(d) Each member of the committee appointed under subsection (b)(1) or (b)(2) is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on legislative study committees established by the legislative council.

(e) The committee shall do the following:

(1) Study the safety of rail corridors, including corridors at overpasses, underpasses, and crossings.

(2) Review railroad safety records.

(3) Study methods of encouraging cooperation among the railroads, local government, state government, and federal government to enhance the safety of railroads.

(4) Study other topics as assigned by the legislative council.

(f) The committee shall issue a final report to the legislative council regarding the matters under subsection (e) before November 1, 1999.

(g) The committee is under the jurisdiction of the legislative council and shall operate under policies and procedures established by the legislative council.

(h) Staff and administrative support shall be provided by the legislative services agency.

(i) This SECTION expires November 1, 1999.

As added by P.L.335-1995, SEC.1. Amended by P.L.87-1997, SEC.4.

1995-338-1

SECTION 1. (a) As used in this SECTION, "member" refers to a person appointed under subsection (c)(3) or (c)(4) or to a legislator whose district includes all or part of Lake County, Porter County, LaPorte County, St. Joseph County, or Elkhart County.

(b) The northwest Indiana commuter rail and transportation study commission is established.

(c) The commission consists of fourteen (14) voting members appointed as follows:

(1) Six (6) members of the senate, not more than three (3) of whom may be members of the same political party, appointed by the president pro tempore of the senate.

(2) Six (6) members of the house of representatives, not more than three (3) of whom may be members of the same political party, appointed by the speaker of the house of representatives.

(3) One (1) individual who is not a legislator, appointed by the Northwestern Indiana Regional Planning Commission.

(4) One (1) individual who is not a legislator, appointed by the Michiana Area Council of Governments.

(d) The president pro tempore of the senate shall select one (1) member of the commission to serve as the chairperson.

(e) The commission shall study the following issues:

(1) The feasibility of establishing improvements to commuter transportation and rail service in the Westlake County-Chicago and Valparaiso-Chicago corridors.

(2) All aspects of regional mass transportation and road and highway needs in Lake County, Porter County, LaPorte County, St. Joseph County, and Elkhart County.

(3) The commission may study other topics as assigned by the legislative council.

(f) The commission shall submit a final report of the commission's findings and recommendations to the legislative council before November 1, 1999.

(g) Each member of the commission is entitled to receive the same per diem, mileage, and travel allowances paid to individuals serving as legislative or lay members on interim study committees established by the legislative council.

(h) The legislative services agency shall provide staff support to the commission.

(i) This SECTION expires November 2, 1999.

As added by P.L.338-1995, SEC.1. Amended by P.L.241-1997, SEC.1.

1996-4-114

SECTION 114. (a) As used in this SECTION, "computer system" refers to the computer system described in IC 3-9-4-4.

(b) Notwithstanding IC 3-9-4-4, the election division is not required to have the computer system operational before April 1, 1998.

(c) Notwithstanding IC 3-9-4-4, not later than April 2, 1998, the computer system is required only to make the annual reports required to be filed under IC 3-9-5-10 for calendar year 1997 in searchable, digital form available on the Internet.

(d) Notwithstanding IC 3-9-4-4, after December 31, 1998, and

before January 1, 2000, the computer system is required to do only the following:

- (1) Identify all candidates and committees that received contributions from a contributor during 1997 and 1998.
- (2) Identify all candidates and committees that received contributors to a candidate or committee during 1997 and 1998.
- (e) This SECTION expires January 1, 2000.

As added by P.L.4-1996, SEC.114. Amended by P.L.3-1997, SEC.473.

1996-50-18

SECTION 18. (a) The department of education and the state board of tax commissioners shall select pilot school corporations under subsection (b). Beginning January 1, 1997, the school corporations selected under subsection (b) shall comply with SECTIONS 1 through 17 of this act as if those SECTIONS were effective January 1, 1997.

(b) Before October 1, 1996, the department of education and the state board of tax commissioners shall meet to select ten (10) pilot school corporations. The pilot school corporations shall be selected with the objective that the pilot school corporations collectively represent a broad range of the different types and sizes of school corporations that exist in Indiana. In order to achieve this objective, the department of education and the state board of tax commissioners shall select the pilot school corporations based on the following criteria:

- (1) The size of the student population within the corporation.
- (2) The size of the geographic territory served by the corporation.
- (3) The average growth of the property tax assessed valuation within the corporation's district over the preceding three (3) years.
- (4) The growth or decline of the ADM (as defined in IC 21-3-1.6-1.1) within the corporation over the preceding three (3) years, excluding any year in which there is a general reassessment.
- (5) The extent of urban development in the corporation.
- (6) Any other factors the department of education and the state board of tax commissioners determine are necessary to distinguish a group or category of school corporations that deserve representation by a pilot school corporation.

(c) All state and local governmental officials whose official functions relate to this act shall cooperate with the department of education, the state board of tax commissioners, and the pilot school corporations to implement this act.

(d) This SECTION expires July 1, 1999.

As added by P.L.50-1996. Amended by P.L.2-1997, SEC.93.

1996-50-19

SECTION 19. (a) The initial school year budget adopted by a pilot school corporation selected under SECTION 18 of this act and fixed by the state board of tax commissioners under this act is for the period beginning July 1, 1997, through June 30, 1998. The first six (6) months of the initial budget for a pilot school corporation must be consistent with the last six (6) months of the budget fixed by the state board of tax commissioners for calendar year 1997 under the procedures effective

in 1996.

(b) The initial school year budget adopted by a school corporation, other than a pilot school corporation selected under SECTION 18 of this act, and fixed by the state board of tax commissioners under this act, is for the period beginning July 1, 1999, through June 30, 2000. The first six (6) months of the initial budget must be consistent with the last six (6) months of the budget fixed by the state board of tax commissioners for calendar year 1999 under the procedures effective in 1998.

(c) This SECTION expires July 1, 2000.

As added by P.L.50-1996, SEC. 19. Amended by P.L.2-1997, SEC.94.

1996-50-20

SECTION 20. (a) The department of education, with the assistance of the state board of tax commissioners, shall submit to the budget committee the following concerning all pilot school corporations selected under SECTION 18 of this act:

- (1) Before October 1, 1998, a written report that:
 - (A) specifies positive and negative aspects experienced in formulating a budget under this act;
 - (B) makes recommendations on how to remedy any perceived inadequacies in the provisions of this act; and
 - (C) analyzes the long term benefits of this act.
- (2) Before October 1, 1999, a written report that:
 - (A) updates the report made under subdivision (1);
 - (B) outlines adjustments the school corporation made in the process of converting to formulating a budget under this act; and
 - (C) provides any other information related to the school corporation's experiences as a pilot school corporation under this act that the school corporation believes important to be made known to the general assembly or other school corporations before this act takes effect for all school corporations.

Each pilot school corporation shall provide the department of education with the information necessary for the department of education to complete the reports required under this subsection.

(b) The department of education shall send copies of the reports required by this SECTION to the following:

- (1) The county auditor.
- (2) The state board of tax commissioners.
- (3) Each pilot school corporation.
- (4) The Indiana School Boards Association.

(c) This SECTION expires July 1, 2000.

As added by P.L.50-1996, SEC.20. Amended by P.L.2-1997, SEC.95.

1996-123-23

SECTION 23. (a) *The department of environmental management shall develop a task force that includes representatives of special waste generators, representatives knowledgeable in proposed uses, and other interested parties to develop guidance for the department to*

implement IC 13-19-3-7, as added by this act, before January 1, 1998.
(b) This SECTION expires January 2, 1998.
As added by P.L.123-1996, SEC.23. Amended by P.L.129-1997, SEC.7.

1996-130-12

SECTION 12. (a) This SECTION does not apply to a combustion source implementing non-fossil fuel changes, a source engaging in contaminated soil processing, or sources otherwise subject to case-by-case control technology determinations for hazardous air pollutant emissions under 326 IAC 2.

(b) "Department" refers to the department of environmental management.

(c) "Source" has the meaning set forth in 326 IAC 1-2-73.

(d) Unless required by federal law to obtain a federal construction or operating permit, a modification of an existing source that has been previously approved under 326 IAC 2 that is listed in subsection (e) is not required to obtain a construction or an operating permit under 326 IAC 2-1-1(b)(1)(A) or 326 IAC 2-1-1(b)(1)(G) or a registration under 326 IAC 2-1-1(b)(2).

(e) The following are exempt from permit and registration requirements under subsection (d):

(1) A modification of an existing source if the modification will replace or repair a part or piece of equipment in an existing process. However, the exemption does not apply if:

(A) the modification results in the replacement or repair of an entire process;

(B) the modification qualifies as a reconstruction of an entire process; or

(C) the modification may result in an increase of regulated air pollutants.

(2) A modification of an existing source that:

(A) is regulated by a New Source Performance Standard or a National Emission Standard for Hazardous Air Pollutants; and

(B) emits a pollutant for which the New Source Performance Standard or National Emission Standard for Hazardous Air Pollutants is the most stringent standard applicable.

(3) A modified source or modification of an existing source from which allowable emissions do not exceed registration or construction permitting thresholds specified in 326 IAC 2 as a result of complying with at least one (1) of the following physical or operational constraints:

(A) Limiting total annual solvent usage or maximum volatile organic compound (VOC) content, or both.

(B) Limiting annual hours of operation of the process or business.

(C) For a particulate matter control device:

(i) achieving and maintaining ninety-nine percent (99%) efficiency; and

(ii) complying with a zero percent (0%) opacity standard.

In addition, the source must certify to the department that the control device supplier guarantees that a specific outlet

concentration, in conjunction with design air flow, will result in actual emissions below construction permitting thresholds specified in 326 IAC 2.

(D) Limiting individual total annual fuel usage and fuel type for a combustion source.

(E) Limiting raw material throughput or sulfur content of raw materials, or both.

(4) A modification of an existing source that is regulated by a source specific operation agreement, if:

(A) all emissions of regulated air pollutants from the source or modification that exceed registration or construction permitting thresholds specified in 326 IAC 2 are regulated by an existing source specific operation agreement under rules adopted by the air pollution control board;

(B) all emissions of regulated air pollutants from the source or modification that exceed registration or construction permitting thresholds specified in 326 IAC 2 are regulated by a general permit under rules adopted by the air pollution control board; or

(C) all emissions of regulated air pollutants from the source or modification that exceed registration or construction permitting thresholds specified in 326 IAC 2 are regulated by a permit by rule under rules adopted by the air pollution control board.

(5) A modification of an existing source possessing an effective registration, an operation permit, a construction permit, or another previously issued state approval under 326 IAC 2, if:

(A) all emissions of regulated air pollutants from the modification that exceed state registration or construction permitting thresholds specified in 326 IAC 2 are regulated by a source specific operation agreement or general permit under rules adopted by the air pollution control board; and

(B) federal permitting requirements do not apply to the modification.

(6) A modification of an existing source that consists of any stationary source whose primary purpose is to conduct research and development into new processes and products, provided the modification:

(A) is operated under the close supervision of technically trained personnel;

(B) is not engaged in the manufacture of products for commercial sale in commerce, except in a de minimis manner; and

(C) has less than twenty-five (25) tons per year of the actual emissions of any one (1) regulated air pollutant and less than ten (10) tons per year of the actual emissions of any hazardous air pollutant.

(7) A modification of an existing source that consists of insignificant or trivial activities (as defined in 326 IAC 2-7-1).

(8) A commercial gasoline station and commercial dry cleaner, unless actual emissions of regulated air pollutants from the source

exceed one hundred (100) tons per year.

(f) A modification of an existing source described in subsection (e)(1) through (e)(5) must:

- (1) submit an exemption qualification application on a form provided by the department;
- (2) if applicable, submit acknowledgment of the requirement to comply with the New Source Performance Standard, National Emission Standards for Hazardous Air Pollutants, a physical or an operational constraint under subsection (e)(3), a source specific operation agreement, a general permit, or a permit by rule on a form provided by the department;
- (3) maintain records for three (3) years that are adequate to demonstrate compliance with all applicable requirements;
- (4) notify the department not later than fifteen (15) days after the modification of the existing source; and
- (5) not later than ten (10) days after the exemption qualification application is submitted to the department, publish, in a newspaper of general circulation in each county affected by the application, information regarding the application. The information to be published must be determined by the department. The applicant must pay the costs of complying with this subdivision.

(g) A source described in subsection (e)(3) must certify:

- (1) compliance with physical and operational constraints described in subsection (e)(3); and
- (2) that all emissions of regulated air pollutants are below construction permitting thresholds specified in 326 IAC 2.

(h) The department shall determine not later than twenty-one (21) days after the receipt of an exemption qualification application whether the source qualifies for the exemption. A source may begin operation only after approval by the department of the exemption qualification. The approval or denial is a final agency action under IC 4-21.5-3, and notice must be provided under IC 4-21.5.

(i) If the department determines that a source or modification does not qualify for the exemption provided by this SECTION, the department may require the source to submit the appropriate application under 326 IAC 2.

(j) A source or modification subject to this SECTION must comply with any directly applicable federal requirements and rules under 326 IAC 2-7, 326 IAC 2-8, and 326 IAC 2-9 that are applicable to the Title V operating permit program.

(k) The air pollution control board shall adopt rules under IC 4-22-2 and IC 13-7-7.1 (or IC 13-14-9 after June 30, 1996), before December 1, 1998, to carry out the intent of this SECTION.

(l) This SECTION expires on the earlier of the following:

- (1) The effective date of the rules adopted under subsection (k).
- (2) December 1, 1998.

As added by P.L.130-1996, SEC.12. Amended by P.L.244-1997, SEC.1.

1996-136-3

SECTION 3. (a) Subject to IC 13-17-9-3 and notwithstanding 326

IAC 4, a unit of local government may allow open burning of leaves at a residence that is located in both an unincorporated area and an ozone nonattainment area (as defined in 326 IAC 1-4), if:

- (1) the burning occurs between:
 - (A) October 1 and November 30; or
 - (B) April 1 and April 30;
 - (2) the burning occurs in a noncombustible container that is sufficiently vented to induce adequate primary air combustion and has enclosed sides, a bottom, and a mesh covering; and
 - (3) yard waste or leaf pick-up is not available at the residence.
- (b) This SECTION expires January 1, 1999.

As added by P.L.136-1996, SEC.3. Amended by P.L.248-1997, SEC.1.

1996-255-28

SECTION 28. (a) In addition to other appropriations made in P.L.340-1995, there is appropriated five hundred thousand dollars (\$500,000) to the budget agency from the state general fund for the purpose of making a loan to a county having a population of more than sixteen thousand five hundred (16,500) but less than seventeen thousand (17,000) for its use related to a health care facility, as designated by the county fiscal body, beginning July 1, 1995, and ending June 30, 1996.

(b) The budget agency shall make the loan described in subsection (a) before June 30, 1996, under the terms and conditions specified by the budget agency after review by the state budget committee. The loan may be made without interest or with a nominal rate of interest. The terms of the loan must provide that the county described in subsection (a) shall repay the loan from any funds available as follows:

- (1) Fifty percent (50%) of the principal and interest on the loan must be repaid before January 1, 1998.
 - (2) The remainder of the principal and interest on the loan must be repaid before January 1, 2000.
- (c) This SECTION expires January 1, 2000.

1996-255-29

SECTION 29. IC 35-42-2-1, as amended by this act, applies to offenses committed after June 30, 1996.

1996-256-14

SECTION 14. It is the intent of the general assembly that IC 7.1-6, as added by this act, shall be implemented in an equitable and a uniform manner throughout the state and shall be enforced to ensure the eligibility for and receipt of any federal funds or grants that the state now receives or may receive relating to this act.

1996-257-12

SECTION 12. (a) As used in this SECTION, "committee" refers to the pre-admission screening study committee.

(b) As used in this SECTION, "pre-admission screening program" refers to the program established in IC 12-10-12.

(c) The pre-admission screening study committee is established.

- (d) The committee shall study the following:
 - (1) The efficiency, effectiveness, and necessity for the preadmission screening program.
 - (2) The development of interagency agreements between Indiana and other states regarding payments to providers in Indiana for Medicaid services provided to individuals who do not reside in Indiana.
- (e) The committee consists of eight (8) members of the general assembly, appointed in the following manner:
 - (1) Four (4) members of the house of representatives, appointed by the speaker of the house representatives, with the advice of the minority leader of the house of representatives, not more than two
 - (2) of whom are of the same political party.
 - (2) Four (4) members of the senate, appointed by the president pro tempore of the senate, with the advice of the minority leader of the senate, not more than two (2) of whom are of the same political party.
- (f) The chairman of the legislative council shall appoint one (1) of the members named in subsection (e) to serve as chairman of the committee. The vice-chairman of the legislative council shall appoint one (1) of the members named in subsection (e) to serve as vice-chairman of the committee.
- (g) The members serve at the appointing authority's will. A vacancy on the committee shall be filled by the appointing authority who appointed the vacating member.
- (h) The committee is under the jurisdiction of the legislative council and shall operate under the policies and procedures established by the legislative council for interim study committees.
- (i) The committee shall meet during the interim between adjournment of the 1996 regular session and November 1, 1996, upon the call of the chairman. The committee shall issue a report to the legislative council, stating the committee's findings, conclusions, and recommendations, not later than November 1, 1996.
- (j) This SECTION expires January 1, 1997.

1996-257-13

SECTION 13. IC 12-15-13-1, as amended by this act, and IC 12-15-13-1.5, as added by this act, apply to provider claims for payment under the Medicaid program under IC 12-15 after March 31, 1996.

1997-2-96

SECTION 96. Notwithstanding P.L.209-1996, SECTION 12, IC 33-19-6-16 is repealed July 1, 1997.

1997-2-97

SECTION 97. (a) This act is intended to resolve technical conflicts among acts enacted by the general assembly and to correct other technical errors. This act is not intended to change the intended effective date of any statute or otherwise result in any substantive change in the law.

- (b) This act does not affect any:
 - (1) rights or liabilities accrued;
 - (2) penalties incurred;
 - (3) violations committed; or
 - (4) proceedings begun;

before the effective date of this act. Those rights, liabilities, penalties, offenses, and proceedings continue and shall be imposed and enforced under prior law as if this act had not been enacted.

(c) Any reference in any statute or rule to a statute that is repealed and replaced in the same or a different form in this act shall be treated after the effective date of the new provision as a reference to the new provision.

1997-3-478

SECTION 478. (a) The following rules are voided: 18 IAC 1-1; 18 IAC 1-3.

(b) The publisher of the Indiana Register shall delete these rules from the Indiana Administrative Code.

(c) This SECTION expires July 2, 1997.

1997-3-479

SECTION 479. (a) This SECTION applies to a form:

- (1) designated as an Indiana election commission form; and
- (2) not designated as obsolete;

according to the records of forms management division of the Indiana public records commission.

(b) The current version of the form according to the records of the forms management division on May 1, 1997, is considered approved, effective on the date of passage of this act, without further action by the commission under IC 3-5-4-8, as added by this act.

(c) This SECTION expires December 31, 1997.

1997-3-480

SECTION 480. (a) Indiana accepts the invitation of the Bureau of the Census to participate in Phase II of the Block Boundary Suggestion Project.

(b) This SECTION expires December 31, 2000.

1997-3-481

SECTION 481. (a) Notwithstanding any other statute, a precinct boundary may not be altered:

- (1) after November 1, 1998; and
- (2) before January 1, 2000.

(b) This SECTION expires December 31, 2000.

1997-3-482

SECTION 482. (a) On June 1, 1997, the state certifying official for the Boundary and Annexation Survey of the United States Bureau of the Census shall transfer the records maintained for this purpose to the co-directors of the election division.

(b) This SECTION expires December 31, 1997.

1997-3-483

SECTION 483. (a) Except as provided in subsection (b), the boundaries of a precinct as set forth on July 1, 1997, in the geographic information system maintained by the election division are the boundaries of that precinct until the boundaries of the precinct are changed in accordance with IC 3-11-1.5.

(b) This subsection applies to a precinct with a boundary that:

(1) crosses a congressional district line, a state senate district line, or a state house of representatives district line; and

(2) has not been approved before July 1, 1997, by the Indiana election commission or its predecessor, the state election board.

Not later than November 30, 1997, the election division shall indicate on the geographic information system maintained by the division that the boundary of the precinct follows any congressional district line, state senate district line, or state house of representatives district line that currently crosses the precinct boundary line. The election division shall certify the alteration in the precinct boundary line to the commission and to the county executive and county voter registration office of the county in which the precinct is located.

(c) Not later than December 31, 1997, the county voter registration office receiving a certification under subsection (b) shall alter the records of the office to reflect the precinct boundary established under subsection (b).

(d) This SECTION expires January 1, 2002.

1997-3-484

SECTION 484. (a) Not later than July 1, 1997, the secretary of state shall transfer the documents and records retained by the secretary of state concerning elections to the election division.

(b) This SECTION does not apply to the following:

(1) A certification made by the secretary of state in accordance with IC 3-12-5, as amended by this act.

(2) The bond or oath of office of any official.

(c) This SECTION expires July 2, 1997.

1997-3-485

SECTION 485. (a) Notwithstanding IC 3-9-4-4(a), as amended by this act, an expenditure coding system developed or maintained by the election division or a county election board is not required to comply with the requirements of IC 3-9-4-4(a) before January 1, 1999.

(b) The expenditure codes required under IC 3-9-4-4(a), as amended by this act, do not apply to reports required to be filed before March 31, 1999.

(c) Notwithstanding IC 3-9-4-4(b), as amended by this act:

(1) the computer system maintained by the election division is not required to enable the election division to provide for electronic submission, retrieval, storage, and disclosure of campaign finance reports by candidates for legislative office and state office; and

(2) the election division is not required to:

(A) provide training at no cost to candidates for legislative office and state office; and

(B) suggest acceptable alternate electronic formats and programs to enable candidates for legislative office and state office to file campaign finance reports electronically; before July 1, 1999.

(d) This SECTION expires December 31, 1999.

1997-3-486

SECTION 486. (a) The Indiana election commission is not required to comply with IC 3-9-4-4, as amended by this act, and P.L.4-1996, SECTION 114, as amended by this act, regarding computer system requirements if:

- (1) the general assembly has not made sufficient appropriations for the computer systems; or
- (2) the budget agency has not made sufficient allotments for the computer systems.

(b) This SECTION expires July 1, 1999.

1997-5-16

SECTION 16. (a) Notwithstanding IC 36-8-4-2(a), members of city police and fire departments must reside in Indiana in one (1) of the following areas:

- (1) within the county in which the city, town, or township served by the member is located; or
- (2) in a county that is contiguous to the county in which the city, town, or township served by the member is located.

(b) This SECTION expires January 1, 1999.

1997-6-240

SECTION 240. (a) IC 6-1.1-1-3, as amended by this act, and all changes in tax rates, deductions, and limits on indebtedness made by this act apply only to budget years and property taxes first due and payable after December 31, 2001.

(b) For the purpose of computing:

- (1) the assessed value growth quotient under IC 6-1.1-18.5-2; and
- (2) any other value that requires the use of an assessed value from a date before March 1, 2001;

for a budgetary appropriation, state distribution, or property tax levy first due and payable after December 31, 2001, the assessed value from a date before March 1, 2001, must first be increased from thirty-three and thirty-three hundredths percent (33.33%) of true tax value to one hundred percent (100%) of true tax value before the computation is made.

(c) For the purpose of computing:

- (1) a tax rate under IC 6-1.1-19-1.5; and
- (2) any other value that requires the use of a tax rate from a date before March 1, 2001;

for a budgetary appropriation, state distribution, or property tax levy first due and payable after December 31, 2001, a tax rate from a date before January 1, 2002, must first be reduced by dividing the tax rate by three (3) before the computation is made.

(d) The state board of tax commissioners shall adjust the tax rates

of all taxing units to eliminate the effects of changing assessed values from thirty-three and thirty-three hundredths percent (33.33%) of true tax value to one hundred percent (100%) of true tax value.

(e) If a maximum property tax rate that was enacted before 1997 is not amended by this act, the state board of tax commissioners shall adjust the maximum tax rate to eliminate the effects of changing assessed values from thirty-three and thirty-three hundredths percent (33.33%) of true tax value to one hundred percent (100%) of true tax value.

(f) The state board of tax commissioners shall prepare the initial schedule of adjusted assessed values for all political subdivisions under IC 36-1-15, as added by this act, not later than July 1, 2001.

(g) It is the intent of the general assembly that all adjustments necessary to implement IC 6-1.1-1-3, as amended by this act, be made without raising the revenues available to governmental units more than would have occurred if this act were not enacted. The state board of tax commissioners shall provide fiscal officers in the taxing units, assessing officials, and members of the board of tax adjustment with instructions on how to implement this SECTION.

(h) The state board of tax commissioners shall submit recommendations before July 1, 1998, to the executive director of the legislative services agency concerning any legislation needed to implement the changes described in this SECTION.

(i) If a statute that imposes an assessed value limitation on the aggregate amount of bonds that a political subdivision may issue that was enacted before 1997 is not amended by this act, the state board of tax commissioners shall adjust the assessed value limitation to eliminate the effects of changing assessed values from thirty-three and thirty-three hundredths percent (33.33%) of true tax value to one hundred percent (100%) of true tax value.

(j) The state board of tax commissioners shall, if necessary to protect owners of bonds payable in whole or in part from tax increment, adjust the base assessed value to neutralize the effect of changing assessed values under this act from thirty-three and thirty-three hundredths percent (33.33%) of true tax value to one hundred percent (100%) of true tax value under the following statutes:

- (1) IC 6-1.1-39;
- (2) IC 8-22-3.5;
- (3) IC 36-7-14;
- (4) IC 36-7-14.5;
- (5) IC 36-7-15.1; and
- (6) IC 36-7-30.

1997-6-242

SECTION 242. (a) The definitions in IC 6-1.1-1 apply throughout this SECTION.

(b) The state board of tax commissioners or a local assessing official may delay any duty imposed by statute that is related to the general reassessment that was scheduled to begin July 1, 1997, but is canceled by subsection (c). An action taken by the state board of tax commissioners or an assessing official to cancel or otherwise delay any

of the duties imposed for the implementation of a general reassessment of real property to commence on July 1, 1997, is legalized and validated.

(c) The general reassessment to begin July 1, 1997, under IC 6-1.1-4-4, as effective before the effective date of this SECTION, is canceled. Any contract entered into under IC 6-1.1-4-20, as effective before the effective date of this SECTION, or another law for professional appraising services is void. A property tax levy imposed under IC 6-1.1-4-27 for the general reassessment canceled by this subsection is valid. Any information collected or other analysis performed by an assessing official or the state board of tax commissioners for the general reassessment scheduled to begin on July 1, 1997, may be used, to the extent that it does not conflict with this act, for the assessment of real property after February 28, 1998. Money deposited in the general reassessment fund of the county imposing a property tax under IC 6-1.1-4-27, as effective before the effective date of this SECTION, may be used by a political subdivision only for the purposes described in IC 6-1.1-4-28 and to implement this act. The state board of tax commissioners shall consider any funds accumulated from the tax imposed under IC 6-1.1-4-27 in 1994, 1995, 1996, and 1997 in setting tax rates under IC 6-1.1-4-27 in 1998 and 1999.

1997-6-244

SECTION 244. IC 6-1.1-10-16, as amended by this act, applies to property taxes first due and payable after December 31, 1996.

1997-6-245

SECTION 245. (a) Notwithstanding any other law, applications for an exemption under IC 6-1.1-10-16(i), as amended by this act, for taxes levied in 1997 must be filed on or before August 15, 1997.

(b) This SECTION expires January 1, 1998.

1997-6-246

SECTION 246. Proceedings described in IC 6-1.1-30-11(c), as added by this act, except proceedings described in IC 6-1.1-15-5, that are pending before the state board of tax commissioners on December 31, 1998, shall be conducted after December 31, 1998, by a hearing officer in the division of appeals.

1997-6-247

SECTION 247. Notwithstanding IC 6-1.1-31-9(a), the state board of tax commissions may adopt rules for the appraisal of real property in a general reassessment to commence in 1999 after July 1, 1998, and before January 1, 1999. IC 6-1.1-31-9(b) applies to this SECTION.

1997-6-248

SECTION 248. (a) IC 6-1.1-11-4, as amended by this act, applies to exemption applications filed after December 31, 1996.

(b) The exemption application referred to in IC 6-1.1-11-3 is not required for property taxes first due and payable in 1997 if:

(1) the exempt property is:

(A) tangible property used for religious purposes as described in IC 6-1.1-10-21; or

(B) tangible property owned by a church or religious society for educational purposes as described in IC 6-1.1-10-16; and

(2) the exemption application referred to in IC 6-1.1-11-3 was filed properly at least once after the tangible property was designated for religious or educational use as described in IC 6-1.1-10-21.

If property covered by this SECTION was assessed for property taxes first due and payable in 1997, and the property taxes were paid, the property taxes paid shall be refunded. If property covered by this SECTION was assessed for property taxes first due and payable in 1997 and the property taxes were not paid on the property, the property tax liability is canceled and any action for collecting the tax shall be terminated.

(c) This SECTION expires January 1, 1999.

1997-10-38

SECTION 38. (a) The local government finance study commission established by SEA 194-1997 shall study rights of way and easements in municipalities as they relate to public utilities, including the effect of the rights of way and easements upon taxes. The commission shall submit a report concerning the study to the legislative council not later than November 1, 1997.

(b) The local government finance study commission shall meet on the call of the co-chairs. The commission shall, with the approval of the Indiana utility regulatory commission, retain independent consultants the commission considers appropriate to assist the commission in the review and study. The money needed to pay the expenses for the consultants is appropriated from the public utility fund under IC 8-1-6 to the legislative council.

(c) The legislative services agency shall provide support staff to the local government finance study commission.

(d) Each member of the local government finance study commission is entitled to receive the same per diem, mileage, and travel allowances paid to individuals who serve as legislative members of interim study committees established by the legislative council.

(e) This SECTION expires January 1, 1998.

1997-10-39

SECTION 39. IC 6-1.1-10-21, as amended by this act, applies to property taxes first due and payable after December 31, 1997.

1997-10-40

SECTION 40. (a) This section applies only to a county having a population of more than one hundred seven thousand (107,000) but less than one hundred eight thousand (108,000).

(b) The following are hereby legalized and validated:

(1) Any action taken by a county council in adopting the county economic development income tax, if the action would have been valid under IC 6-3.5-1.1-3.1, as amended by this act.

(2) Any action of a county in adopting a capital improvement plan under IC 6-3.5-7-15, following the adoption of the county economic development income tax as permitted by IC 6-3.5-1.1-3.1, as amended by this act.

(c) Notwithstanding IC 6-3.5-7-5, a county council that reduced its county adjusted gross income tax rate in 1997 may adopt an ordinance to impose the county economic development income tax before May 31, 1997.

1997-14-4

SECTION 4. A person that:

(1) did not qualify in any taxable year beginning in 1995, 1996, or 1997 for enterprise zone incentives under IC 4-4-6.1-1.7 before its amendment by this act;

(2) would have qualified for the enterprise zone incentives under IC 4-4-6.1-1.7 as amended by this act; and

(3) received enterprise zone incentives for taxable years beginning in 1995, 1996, or 1997;

shall be treated for each of the years described in subdivision (1) as having qualified for the incentives to the same extent as if the amendment by this act to IC 4-4-6.1-1.7 had been enacted before the enterprise zone incentives accrued to the person.

1997-15-5

SECTION 5. (a) There is appropriated from the state general fund to the department of commerce the following amounts to carry out the purposes of IC 4-4-28, as added by this act:

(1) Seven hundred twenty thousand dollars (\$720,000) beginning July 1, 1997, and ending June 30, 1998.

(2) One million four hundred forty thousand dollars (\$1,440,000) beginning July 1, 1998, and ending June 30, 1999.

(3) Two million one hundred sixty thousand dollars (\$2,160,000) beginning July 1, 1999, and ending June 30, 2000.

(4) Two million one hundred sixty thousand dollars (\$2,160,000) beginning July 1, 2000, and ending June 30, 2001.

(b) This SECTION expires July 1, 2001.

1997-15-6

SECTION 6. A tax credit provided under IC 6-3.1-18, as added by this act, may be claimed only for taxes owed in taxable years that begin after December 31, 1997.

1997-19-8

SECTION 8. (a) The state board of accounts shall adopt rules under IC 4-22-2 to implement IC 5-22, as added by this act, before July 1, 1998.

(b) In establishing rules, the state board of accounts shall consider the following purposes of IC 5-22, as added by this act:

(1) Facilitate economic development and efficient delivery of government services by means of reliable electronic messages.

(2) Enhance public confidence in electronic signatures through

the use of digital signatures.

(3) Minimize the incidence of forged signatures and fraud in commerce.

(4) Foster the development of electronic commerce through the use of digital signatures to lend authenticity and integrity to writings in any electronic medium.

(5) Assure that proper management, oversight, and accountability are maintained for public entity digital signatures.

(6) Establish, in coordination with other states, uniform rules regarding the authentication and reliability of electronic messages.

(c) In establishing rules, the state board of accounts shall seek the advice of public and private entities including the following:

(1) The information services division of the department of administration.

(2) The procurement division of the department of administration.

(3) The data processing oversight committee.

(4) The access Indiana information network.

(5) The treasurer of state.

(6) The auditor of state.

(7) The department of environmental management.

(8) The Indiana department of transportation.

(9) The secretary of state.

(10) The commission on public records.

(d) This SECTION expires January 1, 1999.

1997-19-9

SECTION 9. (a) As used in this SECTION, "committee" refers to the enhanced data access review committee created under IC 5-21-6, as added by this act.

(b) The governor shall make the initial appointments required under IC 5-21-6-3(a)(7), as added by this act, not later than July 1, 1997. Notwithstanding IC 5-21-6-3(a)(7), as added by this act, the initial terms of the members appointed under IC 5-21-6-3(a)(7), as added by this act, are as follows:

(1) The term of one (1) member, designated by the governor, expires June 30, 1998.

(2) The term of one (1) member, designated by the governor, expires June 30, 1999.

(3) The term of one (1) member, designated by the governor, expires June 30, 2000.

(c) The enhanced data access review committee created by a resolution of the Intelenet commission continues until the committee conducts its first meeting.

(d) This SECTION expires December 31, 1998.

1997-24-67

SECTION 67. (a) Notwithstanding IC 12-12-2-4, the terms of the members of the commission on rehabilitation services expire on June 30, 1997.

(b) Notwithstanding IC 12-12-2-4, the governor shall appoint

members to the commission on rehabilitation services on July 1, 1997, with terms as follows:

- (1) The members appointed under IC 12-12-2-3(a)(1) and IC 12-12-2-3(a)(2) for a period of one (1) year.
- (2) The members appointed under IC 12-12-2-3(a)(3), IC 12-12-2-3(a)(4), IC 12-12-2-3(a)(5), and IC 12-12-2-3(a)(6) for a period of two (2) years.
- (3) The members appointed under IC 12-12-2-3(a)(7) for a period of three (3) years.
- (c) Upon the expiration of a commission member's term the governor shall immediately appoint a successor.
- (d) The governor shall make every effort to appoint members who served on the commission on rehabilitation services as of June 29, 1997, if that appointment will not cause the individual to serve on the commission for more than six (6) years.
- (e) This SECTION expires July 1, 2000.

1997-24-68

SECTION 68. (a) Notwithstanding IC 12-10-6-1 and IC 12-10-6-2, both as amended by this act, except as provided in subsection (b), the rate of reimbursement for facilities under IC 12-10-6-1(b), IC 12-10-6-1(c), and IC 12-10-6-2(d), all as amended by this act, may not exceed fifty-two percent (52%) of the average daily rate or reimbursement paid under IC 12-15-14 for intermediate care facilities licensed under IC 16-28.

(b) Notwithstanding subsection (a), the reimbursement rate under subsection (a) is void upon the adoption of rules by the office of Medicaid policy and planning establishing a case mix rate of reimbursement under IC 12-10-6-1(b), IC 12-10-6-1(c), and IC 12-10-6-2(d), all as amended by this act.

(c) This SECTION expires July 1, 1999.

1997-24-69

SECTION 69. (a) As used in this SECTION, "facility" refers to a facility under IC 12-10-6-1(b), IC 12-10-6-1(c), or IC 12-10-6-2(d).

(b) The health finance commission (IC 2-5-23-3) shall study the following topics to determine any benefits to the delivery, payment, and organization of health care services:

- (1) Increasing the maximum rate limitation for facilities from fifty-two percent (52%) of the average rate for intermediate care facilities to fifty-five percent (55%) of the average rate for nursing facilities.
- (2) Changing the occupancy limitations for a facility from ninety-five percent (95%) to the higher of either the facility's actual rate or the statewide average rate.
- (3) Adding social services to a facility's allowable costs.
- (4) Exempting an individual who receives assistance from the copayment requirement for pharmacy services.
- (5) Changing the facility's inflation index from the Gross National Product/IPD to the Health Care Financing Administration/Skilled Nursing Facility index.

(6) Requiring the division of disability, aging, and rehabilitative services to recalculate, publish, and pay reimbursement rates under IC 12-10-6 using historical information reported by the facility for the most current rate.

(c) The commission shall report its findings under subsection (b) to the legislative council before November 1, 1997.

(d) This SECTION expires November 1, 1997.

1997-25-19

SECTION 19. (a) Before July 1, 1997, the department of environmental management shall publish a notice in the Indiana Register of the water pollution control board's intent to adopt a rule that concerns 327 IAC 15-5 involving storm water run off associated with construction activity.

(b) The rulemaking process undertaken by the department of environmental management and the water pollution control board under subsection (a) must address the following issues:

(1) Liability for all parties and the appropriate termination of liability.

(2) Transfer of ownership of property that is subject to the rule.

(c) This SECTION expires July 1, 1997.

1997-28-30

SECTION 30. The Indiana department of state revenue shall cancel and shall no longer issue proposed assessments and assessments against persons on amounts described in IC 6-2.1-3-21, as amended by this act, regardless of the tax period involved.

1997-32-7

SECTION 7. (a) As used in this SECTION, "commission" refers to the Indiana advisory commission on intergovernmental relations established under IC 4-23-24.2-4.

(b) Notwithstanding IC 4-23-24.2-7, as amended by this act, the term of an individual appointed under IC 4-23-24.2-7(a)(1) and IC 4-23-24.2-7(a)(2) after June 30, 1997, expires June 30, 2000.

(c) An individual described in subsection (b) may not continue to serve on the commission if the individual ceases to hold the legislative office the individual held when appointed to the commission.

(d) This SECTION expires July 1, 2001.

1997-32-8

SECTION 8. (a) As used in this SECTION, "commission" refers to the Indiana advisory commission on intergovernmental relations established under IC 4-23-24.2-4.

(b) Notwithstanding IC 4-23-24.2-8, as amended by this act, the term of an individual appointed:

(1) under IC 4-23-24.2-8(a)(1) and IC 4-23-24.2-8(a)(3) by the president pro tempore of the senate; or

(2) under IC 4-23-24.2-8 (a)(2) and IC 4-23-24.2-8(a)(5) by the speaker of the house of representatives;

after June 30, 1997, expires June 30, 2000.

(c) An individual described in subsection (b) may not continue to serve on the commission if the individual ceases to hold the legislative office the individual held when appointed to the commission.

(d) This SECTION expires June 30, 2001.

1997-34-29

SECTION 29. (a) This SECTION applies to the following:

(1) A domestic business trust.

(2) A foreign business trust.

(b) Notwithstanding IC 23-5-1-10.1, as added by this act, after December 31, 1996, the first biennial report for a domestic or foreign business trust that was created or authorized to transact business in an odd-numbered year shall be filed with the secretary of state's office in 1999 during the same month as the month in which the business trust was created or authorized to transact business.

(c) Notwithstanding IC 23-5-1-10.1, as added by this act, after December 31, 1996, the biennial report for a domestic or foreign business trust that was created or authorized to transact business in an even-numbered year shall be filed with the secretary of state's office in 1998 during the same month as the month in which the business trust was created or authorized to transact business.

(d) This SECTION expires July 1, 2000.

1997-34-30

SECTION 30. (a) A limited liability partnership organized in 1995 is not liable for failure to file an annual report in 1996.

(b) This SECTION expires July 1, 2002.

1997-38-5

SECTION 5. (a) Notwithstanding IC 5-3-1-0.4(3), as amended by this act, the definition of "newspaper" in IC 5-3-1-0.4 includes a newspaper that has been entered, authorized, and accepted by the United States Postal Service for at least three (3) consecutive years as mailable matter of the:

(1) second class (as defined in 39 U.S.C. 3622); or

(2) periodicals class.

(b) This SECTION expires July 2, 1999.

1997-38-6

SECTION 6. (a) Notwithstanding IC 5-3-1-0.7(a)(9), as amended by this act, the definition of "qualified publication" in IC 5-3-1-0.7 includes a publication that has been entered, authorized, and accepted by the United States Postal Service as mailable matter of:

(1) requester second class or of the third class (as defined in 39 U.S.C. 3623); or

(2) standard mail (A) class;
for the time published.

(b) This SECTION expires July 2, 2000.

1997-38-7

SECTION 7. (a) Not earlier than August 1, 1997, or later than

August 15, 1997, the secretary of each school corporation in Indiana shall publish a performance report. The report must be combined with the annual financial report published under IC 5-3-1-3. In the performance report the school corporation shall include the following information:

- (1) On a school by school basis:
 - (A) a summary of the results of the Indiana statewide testing for educational progress (ISTEP) program under IC 20-10.1-16, subject to IC 20-10.1-16-7, including the percentage of students at each particular grade level who did not meet the state achievement standards adopted for the ISTEP program;
 - (B) student attendance rates;
 - (C) graduation rates;
 - (D) class size information; and
 - (E) a summary of the Scholastic Aptitude Test (S.A.T.) results.
 - (2) Total at-risk funding and expenditures.
 - (3) Vocational education funding and expenditures.
 - (4) Special education funding and expenditures.
 - (5) Percentage of graduates pursuing higher education.
 - (6) The school corporation's expenditure per pupil from the general fund and the transportation fund.
- (b) The school corporation may provide an interpretation or explanation of the information included under subsection (a).
- (c) This SECTION expires January 1, 1998.

1997-40-11

SECTION 11. IC 36-8-10-12, as amended by this act, applies only to monthly benefits paid after June 30, 1997, unless the fiscal body determines that IC 36-8-10-12, as amended by this act, applies to earlier monthly benefits as determined by the fiscal body.

1997-40-12

SECTION 12. (a) As used in this SECTION, "board" refers to the board of trustees of the public employees' retirement fund.

- (b) Before November 1, 1997, the board shall do the following:
- (1) Effective January 1, 1998, remove police matrons described in IC 36-8-6-1(d) and IC 36-8-8-1(3) from membership in the public employees' retirement fund.
 - (2) For a police matron described in IC 36-8-8-1(3), credit to the 1977 fund (as defined in IC 36-8-1-5) the amount of contributions that:
 - (A) the police matron has made to the public employees' retirement fund; and
 - (B) the employer of the police matron has made to the public employees' retirement fund on behalf of the police matron.
 - (3) For a police matron described in IC 36-8-6-1(d), credit to the 1925 fund (as defined in IC 36-8-1-2) the amount of contributions that:
 - (A) the police matron has made to the public employees' retirement fund; and

(B) the employer of the police matron has made to the public employees' retirement fund on behalf of the police matron.

(c) If a police matron described in IC 36-8-6-1 or IC 36-8-8-1(3) elects to become a participant in the 1925 police pension fund or the 1977 police officers' and firefighters' pension and disability fund, credit for prior service before the date of participation or membership shall be given by the board as follows:

(1) The police matron shall contribute the amount the police matron would have contributed if the police matron had been a member of the 1925 police pension fund or the 1977 police officers' and firefighters' pension and disability fund, whichever is appropriate, during the police matron's prior service based on the police matron's actual salary earned during that period. However, the board shall accept payment over a period of not more than five (5) years at a rate of interest determined by the board. In the event of any failure to fully pay the amount required by this subdivision, the board shall deduct the shortfall, together with interest determined by the board, from any payments due from the fund.

(2) If there is prior service in the 1977 fund or the 1925 fund, the unit shall contribute to the 1977 fund or the 1925 fund, whichever is appropriate, the amount necessary to fund prior service liability amortized over not more than ten (10) years.

(d) If a police matron becomes a participant in the 1925 police pension fund or the 1977 police officers' and firefighters' pension and disability fund, the following provisions apply:

(1) A minimum benefit applies to a police matron who transfers to the 1925 police pension fund or the 1977 police officers' and firefighters' pension and disability fund from the public employees' retirement fund. The minimum benefit, payable at fifty-five (55) years of age, for such a member equals the actuarial equivalent of the vested retirement benefit payable to the member upon normal retirement under IC 5-10.2-4-1 as of the day before the transfer, based solely on:

(A) creditable service; and

(B) the average of the annual compensation;
of the transferring member as of the day before the transfer.

(2) The board shall transfer from the public employees' retirement fund to the 1925 police pension fund or the 1977 police officers' and firefighters' pension and disability fund, whichever is appropriate, the present value of the retirement benefits payable at sixty-five (65) years of age attributable to the transferring member.

(3) The amount the member and the unit must contribute to the 1925 police pension fund or the 1977 fund will be reduced by the amounts transferred to the 1925 police pension fund or the 1977 police officers' and firefighters' pension and disability fund by the board under subdivision (2).

(4) Credit for prior service in the public employees' retirement fund of a member as a police matron is waived in the public employees' retirement fund. Any credit for that service under the

1925 police pension fund or the 1977 police officers' and firefighters' pension and disability fund shall be given only in accordance with subsection (c).

(5) Credit for prior service in the public employees' retirement fund of a member, other than as a police matron, remains in the public employees' retirement fund and may not be credited under the 1925 police pension fund or the 1977 police officers' and firefighters' pension and disability fund.

(e) A police matron described in IC 36-8-6-1(d) or IC 36-8-8-1(3) shall be treated as having been a member of the appropriate fund from the date of employment for all purposes, including the calculation of benefits and eligibility for benefits.

(f) This SECTION expires January 2, 1998.

1997-43-8

SECTION 8. (a) As used in this SECTION, "fund" refers to the public employees' retirement fund, with respect to members (and survivors and beneficiaries of members) of that fund, and the excise police and conservation enforcement officers' retirement plan, with respect to members (and survivors and beneficiaries of members) of that fund.

(b) The amount determined in this SECTION shall be paid from the fund November 1, 1997, to any person who was a retired member (or survivor or beneficiary of a retired member) of the fund as of July 2, 1996, and who was entitled to receive a monthly benefit on October 1, 1997. The amount shall be paid in a single check. The amount is not an increase in the pension portion of the monthly benefit.

(c) The greater of the following shall be paid from the fund to a retired member (or the survivor or beneficiary of a member) who meets the requirements of subsection (b):

(1) One hundred dollars (\$100).

(2) The amount determined as follows:

STEP ONE: Determine the product of twelve (12) multiplied by the pension portion (plus postretirement increases to the pension portion), provided by employer contributions, of the monthly benefit payable the month before the payment is made under this SECTION to the member or a survivor or beneficiary of the member.

STEP TWO: Multiply the amount determined in STEP ONE by the applicable percentage from the following table:

Calendar Year of Last Retirement of Member	Applicable Percentage
1950 through 1969	14%
1970 through 1977	12%
1978 through 1981	10%
1982 through 1985	8%
1986 through 1989	6%
1990 through 1996	4%

(d) This SECTION expires December 1, 1997.

1997-43-9

SECTION 9. (a) As used in this SECTION, "fund" refers to the Indiana state teachers' retirement fund.

(b) The amount determined under subsection (c) shall be paid from the annuity reserve account of the fund on November 1, 1997, to any person who was a retired member (or a survivor or beneficiary of a retired member) of the fund as of July 2, 1996, and who was entitled to receive a monthly benefit on October 1, 1997. The amount shall be paid in a single check. The amount is not an increase in the pension portion of the monthly benefit. The total amount to be distributed under this SECTION is determined in STEP TWO of the following formula:

STEP ONE: Determine the difference between:

(A) the balance in the fund's retired teacher annuity reserve account as of June 30, 1996; and

(B) the computed liability of the annuity portion of the normal allowance for the retired members as of June 30, 1996.

STEP TWO: Multiply the STEP ONE result by ten percent (10%).

(c) The amounts distributed under subsection (b) shall be distributed to each retired member (or survivor or beneficiary of a retired member) who meets the requirements of subsection (b) in an amount determined under the following steps:

STEP ONE: Determine the sum of:

(A) the total number of years of creditable service (excluding creditable service under Acts 1965, c.410, s.4) in the fund of all retired members eligible to receive a portion of the distribution; plus

(B) the total number of years that all retired members who are eligible to receive a portion of the distribution have been retired.

STEP TWO: Determine the sum of:

(A) the eligible retired member's total number of years of creditable service (excluding creditable service under Acts 1965, c.410, s.4) in the fund; plus

(B) the total number of years since the eligible retired member retired from the last covered position held by the member.

STEP THREE: Divide the amount determined in STEP TWO by the amount determined in STEP ONE.

STEP FOUR: Multiply the amount determined in STEP THREE by the amount of the distribution under STEP TWO of subsection (b).

STEP FIVE: Determine the greater of fifty dollars (\$50) or the amount determined in STEP FOUR.

(d) This SECTION expires December 1, 1997.

1997-43-10

SECTION 10. (a) As used in this SECTION, "fund" refers to the Indiana state teachers' retirement fund.

(b) The amount determined under subsection (c) shall be paid from the annuity reserve account of the fund on November 1, 1998, to any person who was a retired member (or a survivor or beneficiary of a retired member) of the fund as of July 2, 1997, and who was entitled to receive a monthly benefit on October 1, 1998. The amount shall be

paid in a single check. The amount is not an increase in the pension portion of the monthly benefit. The total amount to be distributed under this SECTION is determined in STEP TWO of the following formula:

STEP ONE: Determine the difference between:

(A) the balance in the fund's retired teacher annuity reserve account as of June 30, 1997; and

(B) the computed liability of the annuity portion of the normal allowance for the retired members as of June 30, 1997.

STEP TWO: Multiply the STEP ONE result by ten percent (10%).

(c) The amounts distributed under subsection (b) shall be distributed to each retired member (or survivor or beneficiary of a retired member) who meets the requirements of subsection (b) in an amount determined under the following steps:

STEP ONE: Determine the sum of:

(A) the total number of years of creditable service (excluding creditable service under Acts 1965, c.410, s.4) in the fund of all retired members eligible to receive a portion of the distribution; plus

(B) the total number of years that all retired members who are eligible to receive a portion of the distribution have been retired.

STEP TWO: Determine the sum of:

(A) the eligible retired member's total number of years of creditable service (excluding creditable service under Acts 1965, c.410, s.4) in the fund; plus

(B) the total number of years since the eligible retired member retired from the last covered position held by the member.

STEP THREE: Divide the amount determined in STEP TWO by the amount determined in STEP ONE.

STEP FOUR: Multiply the amount determined in STEP THREE by the amount of the distribution under STEP TWO of subsection (b).

STEP FIVE: Determine the greater of fifty dollars (\$50) or the amount determined in STEP FOUR.

(d) This SECTION expires December 1, 1998.

1997-43-11

SECTION 11. (a) As used in this SECTION, "fund" refers to the public employees' retirement fund, with respect to members (and survivors and beneficiaries of members) of that fund, and the excise police and conservation enforcement officers' retirement plan, with respect to members (and survivors and beneficiaries of members) of that fund.

(b) The amount determined in this SECTION shall be paid from the fund November 1, 1998, to any person who was a retired member (or survivor or beneficiary of a retired member) of the fund as of July 2, 1997, and who was entitled to receive a monthly benefit on October 1, 1998. The amount shall be paid in a single check. The amount is not an increase in the pension portion of the monthly benefit.

(c) The greater of the following shall be paid from the fund to a retired member (or the survivor or beneficiary of a member) who meets

the requirements of subsection (b):

(1) Fifty dollars (\$50).

(2) The amount determined as follows:

STEP ONE: Determine the product of twelve (12) multiplied by the pension portion (plus postretirement increases to the pension portion), provided by employer contributions, of the monthly benefit payable the month before the payment is made under this SECTION to the member or a survivor or beneficiary of the member.

STEP TWO: Multiply the amount determined in STEP ONE by the applicable percentage from the following table:

Calendar Year of Last Retirement of Member	Applicable Percentage
1950 through 1969	7%
1970 through 1977	6%
1978 through 1981	5%
1982 through 1985	4%
1986 through 1989	3%
1990 through 1997	2%

(d) This SECTION expires December 1, 1998.

1997-43-12

SECTION 12. (a) As used in this SECTION, "board" refers to the board of trustees of the public employees' retirement fund.

(b) Before November 1, 1997, the board shall do the following:

(1) Effective January 1, 1998, remove park rangers described in IC 36-8-8-1(4), as added by this act, from membership in the public employees' retirement fund.

(2) For a park ranger described in IC 36-8-8-1(4), as added by this act, credit to the 1977 fund the amount of contributions that:

(A) the park ranger has made to the public employees' retirement fund; and

(B) the employer of the park ranger has made to the public employees' retirement fund on behalf of the park ranger.

(c) If a park ranger described in IC 36-8-8-1(4), as added by this act, becomes a participant in the 1977 fund, credit for prior service before the date of participation or membership may be given by the board only if the following occur:

(1) The amount the park ranger would have contributed if the park ranger had been a member of the 1977 fund during the park ranger's prior service is:

(A) fully paid; and

(B) based on the park ranger's actual salary earned during that period.

However, the board may accept payment over a period not greater than five (5) years at a rate of interest determined by the board.

(2) If the park ranger has prior service in the 1977 fund, the unit contributes to the 1977 fund the amount necessary to fund prior service liability amortized over not more than ten (10) years.

(d) If a park ranger becomes a participant in the 1977 fund, the following provisions apply:

(1) A minimum benefit applies to a park ranger who transfers to the 1977 fund from the public employees' retirement fund. The minimum benefit, payable at fifty-five (55) years of age, for such a member equals the actuarial equivalent of the vested retirement benefit payable to the member upon normal retirement under IC 5-10.2-4-1 as of the day before the transfer, based solely on:

(A) creditable service; and

(B) the average of the annual compensation;
of the transferring member as of the day before the transfer.

(2) The board shall transfer from the public employees' retirement fund to the 1977 fund the present value of the retirement benefits payable at sixty-five (65) years of age attributable to the transferring member.

(3) The amount the member and the unit must contribute to the 1977 fund shall be reduced by the amounts transferred to the 1977 fund by the board under subdivision (2).

(4) Credit for prior service in the public employees' retirement fund of a member as a park ranger is waived in the public employees' retirement fund. Any credit for that service under the 1977 fund shall be given only in accordance with subsection (c).

(5) Credit for prior service in the public employees' retirement fund of a member, other than as a park ranger, remains in the public employees' retirement fund and may not be credited under the 1977 fund.

(e) A park ranger described in IC 36-8-8-1(4), as added by this act, shall be treated as having been a member of the appropriate fund from the date of employment for all purposes, including the calculation of benefits and eligibility for benefits.

(f) This SECTION expires January 2, 1998.

1997-43-13

SECTION 13. (a) Notwithstanding IC 5-10.2-2-4, for the public employees' retirement fund for the interest date of June 30, 1997, the interest credit rate is nine percent (9%).

(b) This SECTION expires July 1, 1998.

1997-45-23

SECTION 23. (a) Not later than January 1, 1998, the department of environmental management shall apply to the United States Environmental Protection Agency for authority to receive petitions and delist wastes under 40 CFR 260.20 and 260.22.

(b) Not later than January 1, 1999, the solid waste management board shall adopt under IC 4-22-2 rules necessary to implement IC 13-22-11.5, as added by this act, including rules for the handling of secondary material and rules defining the legitimate use of a secondary material in an industrial or a manufacturing process. The rules must clarify the distinction between:

(1) reclamation processes; and

(2) industrial or manufacturing processes.

(c) This SECTION expires January 2, 1999.

1997-45-24

SECTION 24. (a) 329 IAC 10-21-14 concerning the solid waste landfill ground water corrective action contingency fund is void. The publisher of the Indiana Administrative Code and Indiana Register shall remove this section from the Indiana Administrative Code.

(b) Not later than September 1, 1997, the department of environmental management shall issue a generic permit modification that removes the requirements of 329 IAC 10-21-14 from existing permits.

(c) Each solid waste landfill required to undertake corrective action under 329 IAC 10-21-13 shall establish financial assurance of corrective action as required by 40 CFR 258.73.

(d) The solid waste management board shall adopt rules under IC 4-22-2 and IC 13-14-9 to revise 329 IAC 10-39-10 concerning financial assurance for corrective action. The revisions must:

- (1) make the rule consistent with 40 CFR 258.73;
- (2) require establishment of financial assurance of corrective action not earlier than its establishment is required under 40 CFR 258.73 and 40 CFR 258.74; and
- (3) allow the use of all financial assurance mechanisms allowed under 40 CFR 258.74 and 329 IAC 10-39-2.

(e) This SECTION expires April 1, 1998.

1997-45-25

SECTION 25. (a) The department of environmental management shall follow the delisting criteria provided in 40 CFR 260.20 and 40 CFR 260.22.

(b) The solid waste management board shall adopt rules that provide procedures and criteria for delisting wastes as hazardous wastes before January 1, 1999.

(c) This SECTION expires on the earlier of:

- (1) the date rules adopted by the solid waste management board under subsection (b) become effective; or
- (2) December 31, 1998.

1997-45-26

SECTION 26. (a) The term "governmental entity", for purposes of IC 5-11-10-1.6, also includes a solid waste management district established under IC 13-21 or IC 13-9.5 (before its repeal).

(b) This SECTION expires June 30, 1998.

1997-49-87

SECTION 87. (a) The definitions in IC 5-22-2, as added by this act, apply throughout this SECTION.

(b) An order, an ordinance, a resolution, a rule (as defined in IC 4-22-2-3), or another procedure:

- (1) adopted by a governmental body before July 1, 1998;
- (2) that has the force and effect of law; and
- (3) that relates to purchases made by the governmental body;

is, after June 30, 1998, considered a rule (as defined in IC 5-22-2-29, as added by this act) until the governmental body repeals the order,

ordinance, resolution, or rule (as defined in IC 4-22-2-3).

(c) A governmental body's or a purchasing agency's written statement of purchasing procedure or substantive purchasing purposes:

(1) issued by a governmental body or a purchasing agency before July 1, 1998; and

(2) that does not have the force and effect of law;

is, after June 30, 1998, considered a policy (as defined in IC 5-22-2-21, as added by this act) until the governmental body rescinds the written statement.

(d) This SECTION expires July 1, 1999.

1997-49-88

SECTION 88. (a) Notwithstanding IC 4-13-1-22, as added by this act, the report of professional services compiled by the commissioner of the Indiana department of administration before October 1, 1998, under IC 4-13-1-22, as added by this act, must cover professional services awarded by each state agency:

(1) after December 31, 1996; and

(2) before July 1, 1998.

(b) This SECTION expires July 1, 1999.

1997-49-89

SECTION 89. (a) Amounts in the warehousing and stationery revolving fund on June 30, 1998, remain in the warehousing and stationery revolving fund established by IC 4-13-1-23, as added by this act.

(b) This SECTION expires July 2, 1998.

1997-51-7

SECTION 7. IC 6-1.1-2-4, IC 6-1.1-5-5, and IC 6-1.1-22-13, all as amended by this act, apply only to assessment years beginning after December 31, 1997.

1997-54-10

SECTION 10. IC 6-1.1-12-22, as amended by this act, applies only to property taxes first due and payable after December 31, 1997.

1997-54-11

SECTION 11. (a) IC 6-3.1-16, as amended by this act, applies only to taxable years beginning after December 31, 1996.

(b) For purposes of IC 6-3.1-16, for taxable years beginning after December 31, 1993, "taxpayer" includes an S corporation, a partnership, a limited liability company, a limited liability partnership, a nonprofit organization, or a joint venture. A taxpayer is allowed to file a claim for a credit under IC 6-3.1-16 for taxable years beginning after December 31, 1993.

(c) Notwithstanding IC 6-3.1-16-8(7), as amended by this act, a taxpayer:

(1) whose qualified expenditures for preservation or rehabilitation of the historic property exceed five thousand dollars (\$5,000);

(2) whose project was approved by the division of historic

preservation and archeology before December 31, 1996; and
(3) who meets the conditions contained in subdivisions (1) through (6) of IC 6-3.1-16-8, as amended by this act;
qualifies for a credit under IC 6-3.1-16-7.

1997-55-38

SECTION 38. (a) The commissioner of the state department of health shall conduct a fiscal study of the special education institutions under the authority of the department and alternatives available elsewhere at non-state facilities.

(b) The purpose of the fiscal study is to develop recommendations regarding in-state placement for treatment of delinquent children and children in need of services in a manner designed to maximize the resources available and to be cost effective with respect to the resources utilized on each child.

(c) The fiscal study must address the following:

- (1) The full cost of treatment, including educational programs, at each institution and residential costs at each institution, taking into consideration the number of students, levels of disability, and the length of time that educational services and residential services are offered.
- (2) A comparison of student gains, educational attainment, and educational costs paid from federal, state, and local funding sources at the special education institutions with the student gains, educational attainment, and educational costs paid from federal, state, and local funding sources at public schools having students with similar disabilities and receiving similar services.
- (3) A comparison of student gains, educational attainment, and educational costs at the special education institutions with the student gains, educational attainment, and educational costs of similar institutions in other states.
- (4) The full cost of maintaining a child at each institution detailed by treatment types and the full cost of alternatives available elsewhere at non-state facilities.
- (5) The cost of consolidating one (1) or more special education facilities at a current or alternative site, taking into consideration the specific learning and living environments necessary for blind children and deaf children as well as student learning outcomes in other states that have consolidated similar institutions.
- (6) Whether the Indiana Soldier's and Sailor's Children's Home qualifies for federal funds under the Title IV-E federal program.
- (7) The feasibility of converting a special education institution into a juvenile corrections facility, including an estimate of capital costs.
- (8) Personnel requirements and costs and capital costs necessary to operate a special education institution at full capacity.
- (9) The number of children and the levels of disability that can be served effectively at the institutions with current physical plant and personnel resources.
- (10) Cost effective ways to ensure that the caretakers of children

in Indiana whose needs can be met at the special education institutions are made aware of the services available at the special education institutions.

(d) The commissioner shall enter a contract with a qualified individual or firm to conduct the study. The contract must be signed before August 30, 1997.

(e) The study must be completed before June 30, 1998. Not later than July 1, 1998, the commissioner shall provide copies of the final report to the following:

- (1) The advisory committee of each special education institution established under IC 16-19-6-9.
- (2) The state budget committee.
- (3) The governor.
- (4) The special education advisory committee.

(f) The division and the following agencies shall develop a comprehensive plan for the identification, evaluation, placement, and treatment of delinquent children and children in need of services and the manner of funding for these services.

- (1) The Indiana department of health.
- (2) The division of mental health.
- (3) The department of correction, for incarcerated youths.
- (4) The division of disability, aging, and rehabilitative services.
- (5) The division of special education.
- (6) Any public or private agency providing special education or other programs for delinquent children and children in need of services.
- (7) Any other public agency that contracts with any of the agencies described in this subsection.

The comprehensive plan shall include a section devoted to the implementation of the recommendations contained in the fiscal study. The comprehensive plan shall be completed and ready for distribution not later than July 1, 1999.

(g) This SECTION expires July 1, 1999.

1997-59-24

SECTION 24. (a) The environmental quality service council shall oversee the implementation of this act and make recommendations concerning the act to the following:

- (1) The general assembly.
- (2) The department of environmental management.
- (3) The department of commerce.

(b) This SECTION expires July 1, 2000.

1997-59-25

SECTION 25. (a) The solid waste management board shall adopt rules before July 1, 1998, to amend 329 IAC 7 concerning the Indiana Scoring Model and the assessment of hazardous substance response sites and determine a minimum score to allow sites that:

- (1) have been the subject of successful remediation, including voluntary remediations, of hazardous substances under IC 13-7-8.9 (before its repeal) or IC 13-25-5; or

(2) score below the minimum score;
to be removed from the priority ranking if appropriate.

(b) This SECTION expires July 1, 1998.

1997-59-26

SECTION 26. (a) The department of environmental management, the Indiana development finance authority, and the budget agency shall adopt rules before July 1, 1998, to implement IC 13-19-5, as added by this act.

(b) This SECTION expires July 1, 1998.

1997-59-27

SECTION 27. (a) Before July 1, 1998, the department of environmental management shall establish a procedure for ensuring that remediation and closure goals, objectives, or standards for activities performed under IC 13-22 and IC 13-23 are not inconsistent with IC 13-25-5.

(b) This SECTION expires July 2, 1998.

1997-59-28

SECTION 28. (a) The department of environmental management may establish a brownfield redevelopment work group.

(b) A work group established under subsection (a) shall:

- (1) advise the environmental quality service council concerning the cleanup and development of brownfields in Indiana; and
- (2) assist the environmental quality service council in the collection of data concerning the:

(A) number of brownfield properties in Indiana;

(B) number and level of brownfield cleanups conducted, including those cleanups that are not completed; and

(C) number and type of brownfield revitalization zone tax abatements approved under IC 6-1.1-42.

(c) This SECTION expires July 1, 1999.

1997-59-29

SECTION 29. (a) On July 1, 1997, the auditor of state shall transfer five million dollars (\$5,000,000) from the hazardous substances response trust fund established by IC 13-25-4-1 to the environmental remediation revolving loan fund established by IC 13-19-5-2, as added by this act.

(b) On July 1, 1998, the auditor of state shall transfer two million five hundred thousand dollars (\$2,500,000) from the hazardous substances response trust fund established by IC 13-25-4-1 to the environmental remediation revolving loan fund established by IC 13-19-5-2, as added by this act.

(c) On July 1, 1999, the auditor of state shall transfer two million five hundred thousand dollars (\$2,500,000) from the hazardous substances response trust fund established by IC 13-25-4-1 to the environmental remediation revolving loan fund established by IC 13-19-5-2, as added by this act.

(d) This SECTION expires July 2, 1999.

1997-61-3

SECTION 3. The department of state revenue shall cancel and shall no longer issue proposed assessments and assessments against a person for state gross retail or use tax on transactions described in IC 6-2.5-5-27.5, as added by this act, regardless of the tax periods involved.

1997-61-4

SECTION 4. IC 6-2.5-5-19.5, as added by this act, applies to transactions occurring after December 31, 1996.

1997-62-6

SECTION 6. IC 6-2.1-1-9, IC 6-2.1-2-4, and IC 6-2.1-2-5, all as amended by this act, apply only to taxable years beginning after December 31, 1997.

1997-63-4

SECTION 4. This act applies to taxable years that begin after December 31, 1997.

1997-66-3

SECTION 3. (a) On July 1, 1997, the budget agency shall transfer all money remaining in the account administered by the department of environmental management that contains funds allocated to the emergency response commission under IC 6-6-10-7(a)(1) before July 1, 1997, to a non-reverting account administered by the state emergency management agency for receiving allocations to the emergency response commission under IC 6-6-10-7(a)(1) after June 30, 1997.

(b) This SECTION expires July 2, 1997.

1997-67-23

SECTION 23. (a) Notwithstanding IC 6-9-18-5, as amended by this act, an appointing authority under IC 6-9-18-5 shall appoint the members of a county convention and visitor commission necessary for the commission to comply with IC 6-9-18-5, as amended by this act, before January 1, 1998.

(b) This SECTION expires January 1, 1998.

1997-93-15

SECTION 15. (a) The department of state revenue shall adopt rules under IC 9-18-7, as amended by this act, not later than July 1, 1999.

(b) A reference in 145 IAC 1-1 to the bureau of motor vehicles is considered a reference to the department of state revenue.

(c) Notwithstanding 145 IAC 1-1-3, the department of state revenue may issue a temporary registration permit under 145 IAC 1-1-3 to a person whose only communication with the department of state revenue is through the use of a facsimile machine or other telecommunication device.

(d) This SECTION expires the earlier of the following dates:

(1) July 1, 1999.

(2) The date the department of state revenue adopts rules under subsection (a).

1997-108-11

SECTION 11. (a) The term "office", as used in IC 12-8-10-1(6), refers to the office of the secretary of family and social services.

(b) This SECTION expires June 30, 1997.

1997-109-4

SECTION 4. (a) As used in this SECTION, "commission" refers to the county government study commission established by subsection (b).

(b) The county government study commission is established.

(c) The commission consists of twenty (20) members who are appointed as follows:

(1) Four (4) members appointed by the speaker of the house of representatives from among members of the house of representatives. However, not more than two (2) of the appointments may be from the same political party.

(2) Four (4) members appointed by the president pro tempore of the senate from among members of the senate. However, not more than two (2) of the appointments may be from the same political party.

(3) Six (6) members, not more than three (3) of whom are from the same political party, appointed by the president pro tempore of the senate as follows:

(A) One (1) member who is a county commissioner, representing the executive branch of county government.

(B) One (1) member who is a county sheriff.

(C) One (1) member who is a county treasurer.

(D) One (1) member who is a county auditor.

(E) One (1) member who is a county surveyor.

(F) One (1) member who is a county assessor.

(4) Six (6) members, not more than three (3) of whom are from the same political party, appointed by the speaker of the house of representatives as follows:

(A) One (1) member who is a county commissioner, representing the legislative branch of county government.

(B) One (1) member who is a member of a county council.

(C) One (1) member who is a circuit court clerk.

(D) One (1) member who is a county recorder.

(E) One (1) member who is a township trustee.

(F) One (1) member who is a county councilman from a county council that has legislative powers.

(d) The chairman of the legislative council shall appoint the chairman and vice chairman of the commission. However, the chairman and vice chairman:

(1) may not be members of the same political party;

(2) may not be from the same house of the general assembly; and

(3) must be appointed from a different house of the general assembly each year.

(e) The chairman must call the first meeting of the commission not later than September 1, 1997.

(f) The commission shall study the following:

(1) How to improve the effectiveness and efficiency of county government by examining the functions and duties associated with all elected county officials and departments of county government. The commission shall focus on how these functions and duties relate to the functions and duties of other elected county officials, departments of county government, and other state and local governmental entities.

(2) The functions and duties of elected county officials and departments of county government that should be more clearly defined by statute to avoid disputes over allocation of power in county government.

(3) The functions and duties of elected county officials and departments of county government that should be eliminated, altered, or reassigned to other elected county officials, departments of county government, or other state or local governmental entities.

(4) The functions and duties of county commissioners in Lake County and St. Joseph County and how their legislative and executive powers compare to county commissioners in other counties.

(g) The commission shall submit an annual report to the general assembly not later than November 1 of each year. The report must include the following:

(1) A summary of the commission's annual activity and recommendations, including public testimony and research that supports the commission's recommended changes.

(2) Recommendations for statutory changes, including a draft of legislation implementing the recommended changes.

(3) A fiscal analysis of the cost to state and local governments to implement the commission's recommended changes.

(h) The commission shall operate under the rules and procedures of the legislative council. Members of the commission are entitled to per diem and travel allowances in the same amounts as the legislative council provides for members of interim study committees.

(i) The legislative services agency shall provide staff support for the commission. However, the legislative services agency may not expend more than forty-eight thousand dollars (\$48,000) each year to provide staff support to the commission.

(j) This SECTION expires June 30, 2001.

1997-112-5

SECTION 5. (a) As used in this SECTION, "environmental modifications" means adjustments to the home environment of a person with autism, including providing ramps for wheelchair accessibility, handrails, and vehicle modifications designed to assist in the person's ability to remain in the community.

(b) As used in this SECTION, "personal assistance" means personal

care services for a person with autism, including assistance with personal grooming, cooking, feeding, and homemaking to assist in the person's ability to remain in the community.

(c) As used in this SECTION, "waiver" refers to a home and community based services waiver described in 42 U.S.C. 1396n(c) as it:

- (1) applies to persons with autism; and
- (2) is in effect on July 1, 1997.

(d) The office of Medicaid policy and planning shall seek approval under 42 U.S.C. 1396 et seq. from the United States Department of Health and Human Services to amend the waiver as follows:

(1) Each year during the course of the waiver renewal period raise the number of eligible persons who may be served by the waiver as follows:

(A) From ninety (90) to one hundred forty-five (145) during the state fiscal year beginning July 1, 1997, and ending June 30, 1998.

(B) From one hundred forty-five (145) to two hundred (200) during state fiscal years beginning after June 30, 1998.

(2) Provide for personal assistance and environmental modifications for a person with autism who:

(A) is eligible to use the home and community based services waiver for persons with autism under 42 U.S.C. 1396n(c); and

(B) would otherwise require a level of care provided in an intermediate care facility for the mentally retarded (as defined in 42 U.S.C. 1396d(d)) in the absence of home and community based services described under this subdivision.

(e) The personal assistance and environmental modifications required under subsection (d) must be comparable to the services available under the intermediate care facility for the mentally retarded (ICF/MR) waiver.

(f) The office of Medicaid policy and planning shall apply for approval from the federal Health Care Financing Administration to amend the waiver to implement this SECTION before January 1, 1998.

(g) The office of Medicaid policy and planning may not implement the changes listed under subsection (d) until the office of Medicaid policy and planning files an affidavit with the governor that attests that the federal Health Care Financing Administration has approved the changes in the waiver requested by the office of Medicaid policy and planning under this SECTION.

(h) The office of Medicaid policy and planning shall adopt rules under IC 4-22-2 necessary to implement this SECTION.

(i) This SECTION expires July 1, 2002.

1997-112-6

SECTION 6. (a) As used in this SECTION, "ICF/MR" means an intermediate care facility for the mentally retarded.

(b) As used in this SECTION, "waiver" means a Section 1915(c) waiver under the federal Home and Community-Based Services Program (42 U.S.C. 1396 et seq.).

(c) Before July 1, 1997, the office of Medicaid policy and planning

shall apply to the United States Department of Health and Human Services for approval of a waiver to allow Indiana to increase by at least two hundred twenty-five (225), before July 1, 1999, the total number of waiver slots for individuals who are eligible for a waiver and who would otherwise require a level of care in an ICF/MR. The services provided under this subsection shall be funded within existing funds appropriated to the division of disability, aging, and rehabilitative services.

(d) Before July 1, 1997, the division of disability, aging, and rehabilitative services shall fund, within existing funds appropriated to the division of disability, aging, and rehabilitative services, the additional placement of one hundred fifty (150) individuals who:

- (1) are eligible for a waiver; and
- (2) reside in an ICF/MR;

into existing ICF/MR waiver slots.

(e) The office of Medicaid policy and planning may not increase under this SECTION the number of individuals under the waiver until the office of Medicaid policy and planning files an affidavit with the governor that attests that the approval applied for under subsection (c) is in effect. The office of Medicaid policy and planning shall file the affidavit under this subsection not later than five (5) days after the office of Medicaid policy and planning is notified of the approval.

(f) If the office of Medicaid policy and planning receives an approval for an increase under this SECTION from the United States Department of Health and Human Services and the governor receives the affidavit filed under subsection (e), the office of Medicaid policy and planning shall begin to increase the number of waiver slots for individuals eligible for the waiver not more than sixty (60) days after the governor receives the affidavit.

(g) This SECTION expires July 1, 2002.

1997-112-7

SECTION 7. (a) Within existing funds appropriated to the division of disability, aging, and rehabilitative services, the division shall annually designate one million dollars (\$1,000,000) for the purposes set forth in IC 12-11-6-3, as added by this act.

(b) This SECTION expires June 30, 1999.

1997-113-2

SECTION 2. (a) Before January 1, 1998, the office of Medicaid policy and planning shall apply for approval from the federal Health Care Financing Administration to amend the state plan for medical assistance to implement this act.

(b) Upon receiving approval for the amendment described in subsection (a), the office of Medicaid policy and planning shall amend the state plan for medical assistance to implement this act.

(c) This SECTION expires July 1, 2000.

1997-113-3

SECTION 3. An individual who:

- (1) owns, as of January 1, 1998, a qualified long term care policy

as defined in IC 12-10-9-8, as amended by this act; and
(2) has not exhausted the benefits of the qualified long term care policy described in subdivision (1);
is entitled to receive an asset disregard as provided in IC 12-10-9-8, as amended by this act, as long as the long term care program under IC 12-10-9 remains in effect.

1997-113-4

SECTION 4. (a) IC 16-29-1 does not apply to:

- (1) the construction of comprehensive care beds;
- (2) the conversion of residential care beds to comprehensive care beds; or
- (3) the certification of comprehensive care beds previously uncertified for participation in state or federal reimbursement programs;

after July 1, 1996, and before July 1, 1997, if the requirements of subsection (c) are met.

(b) Comprehensive care beds described in subsection (a):

- (1) are exempt from review by the Indiana health facilities council; and
- (2) may be:
 - (A) licensed under IC 16-28-2; and
 - (B) certified for participation in a state or federal reimbursement program, including programs under Title XVIII or Title XIX of the Social Security Act (42 U.S.C. 1395 et seq. or 42 U.S.C. 1396 et seq.).

(c) Exemptions under subsection (a) are void unless:

- (1) a notice of intent to build a facility at a specific location within a county is submitted to the state department of health before July 1, 1997;
- (2) construction plans for the project are approved by the state department of health and the department of fire and building safety before July 1, 1997; and
- (3) the project's foundation has been constructed in conformity with the approved plans before July 1, 1997, as certified by an architect licensed under IC 25-4 or a professional engineer licensed under IC 25-31.

(d) This SECTION expires July 1, 1998.

1997-114-2

SECTION 2. (a) The legislative council shall assign to the health finance commission created by IC 2-5-23-3 the responsibility for developing recommendations regarding the licensure of assisted living facilities as health care facilities under IC 16-28.

(b) Recommendations concerning licensure of assisted living facilities shall be based on the following:

- (1) Promoting a resident's choice, dignity, privacy, autonomy, and independence in a homelike setting.
- (2) Fostering aging in place.

(c) The health finance commission shall make recommendations to the legislative council regarding legislation concerning assisted living

facility licensure.

(d) The health finance commission's recommendations shall address the following:

- (1) A definition of assisted living facility.
 - (2) Essential components of assisted living facility licensure regulations.
 - (3) Whether residential care licensure should:
 - (A) be replaced by assisted living facility licensure;
 - (B) be retained and modified; or
 - (C) remain unchanged.
 - (4) Minimum requirements for assisted living units.
 - (5) The role of the state department of health and private accrediting organizations in the regulation of assisted living facilities.
 - (6) Other topics as determined by the health finance commission.
- (e) This SECTION expires January 1, 1999.

1997-114-3

SECTION 3. (a) The state department of health shall:

- (1) establish a procedure to identify a facility that identifies, markets, or advertises itself as providing assisted living services;
- (2) contact each facility identified under subdivision (1) not later than August 31, 1997; and
- (3) require each facility contacted under subdivision (2) to complete a questionnaire developed by the state department of health as provided in subsection (b).

(b) A facility contacted by the state department of health under subsection (a) shall, not later than October 1, 1997, notify the state department of health for purposes of data collection through a questionnaire developed by the state department. The questionnaire must include the following information:

- (1) Number and types of assisted living units.
- (2) Types of services provided and the manner in which services are provided.
- (3) Steps taken to provide for individual choice, dignity, privacy, autonomy, independence, and aging in place.

(c) The state department of health shall report the findings of this survey to the health finance commission not later than November 1, 1997.

(d) This SECTION applies to health facilities licensed under IC 16-28 and health facilities not licensed under IC 16-28.

(e) This SECTION expires November 1, 1997.

1997-114-4

SECTION 4. (a) As used in this SECTION, "board" refers to the community and home options to institutional care for the elderly and disabled board established by IC 12-10-11.

(b) The board may develop recommendations to the health finance commission established by IC 2-5-23 to study, based on the principles listed in IC 12-10-11-8(1), as amended by this act, Indiana's current long term care system to include home and community based services

and institutional care.

(c) The division of disability, aging, and rehabilitative services shall provide the resources required by the board to complete its work under this SECTION.

(d) If the board develops recommendations under this SECTION, the board shall report its recommendations to the health finance commission not later than October 1, 1998.

(e) This SECTION expires July 1, 1999.

1997-115-5

SECTION 5. (a) Not later than January 1, 1998, the director of the division of disability, aging, and rehabilitative services and the office of Medicaid policy and planning shall jointly develop forms for use in preadmission screening under IC 12-10-12, as amended by this act, that minimize the need for a physician participating in preadmission screening to sign more than one (1) form.

(b) This SECTION expires January 1, 1999.

1997-115-6

SECTION 6. (a) Not later than September 1, 1999, the division of disability, aging, and rehabilitative services shall provide a complete report to the general assembly regarding the following:

(1) The number of times a decision to discharge a patient directly to a nursing facility, as provided in IC 12-10-12-27.1, as added by this act, is reversed through the preadmission screening program under IC 12-10-12 between July 1, 1997, and June 30, 1999.

(2) All costs incurred by the preadmission screening program under IC 12-10-12 to determine if a decision under subdivision (1) is appropriate.

(b) This SECTION expires January 1, 2000.

1997-118-28

SECTION 28. This act does not apply to an individual whose death occurs before July 1, 1997.

1997-119-6

SECTION 6. (a) 405 IAC 2-3.1 is void.

(b) The publisher of the Indiana Administrative Code and Indiana Register shall remove this rule from the Indiana Administrative Code.

1997-122-8

SECTION 8. (a) The treasurer of state shall transfer all funds from the division of addiction services account that were deposited under IC 33-19-7-5(b)(8) and that were not allotted by the division of addiction services before July 1, 1997, to the Indiana judicial center drug and alcohol programs fund established under IC 12-23-14-17, as added by this act.

(b) This SECTION expires July 2, 1997.

1997-124-24

SECTION 24. (a) All policies, minutes, and official documents of

the pollution prevention board established under IC 13-27-3-1, as added by P.L.1-1996, SECTION 17, must be transferred to the clean manufacturing technology and safe materials board established under IC 13-27.5, as added by this act.

(b) All funds appropriated under any law to the pollution prevention and safe materials institute established under IC 13-27-4 shall be transferred and are appropriated to the clean manufacturing technology and safe materials institute established under IC 13-27.5, as added by this act.

(c) This SECTION expires July 1, 2000.

1997-124-25

SECTION 25. (a) The university selected by the pollution prevention board under IC 13-27-4-2, as added by P.L.1-1996, SECTION 17, to establish the pollution prevention and safe materials institute established under IC 13-27-4, as added by P.L.1-1996, SECTION 17, shall establish and operate the Indiana clean manufacturing technology and safe materials institute established under IC 13-27.5, as added by this act.

(b) This SECTION expires July 1, 2000.

1997-124-26

SECTION 26. (a) As used in this SECTION, "clean manufacturing" has the definition set forth in IC 13-11-2-27.6, as added by this act.

(b) Subject to the availability of funds, the Indiana economic development council established by IC 4-3-14 shall conduct a study and make recommendations to the general assembly, the governor, and the department of commerce concerning the following:

- (1) The creation of a state program to promote clean manufacturing as an economic development concept.
- (2) The integration of clean manufacturing concepts and policies into the state's economic development programs.
- (3) Coordination of clean manufacturing programs in Indiana.
- (4) Funding and structure of the clean manufacturing program created under subdivision (1).
- (5) Public input and comments concerning a clean manufacturing program.

(c) To provide guidance in developing the study described in subsection (b), the governor shall establish an advisory committee that consists of the following eleven (11) members:

- (1) The governor or the governor's designee, who shall serve as chairperson of the advisory committee.
- (2) One (1) person who represents the clean manufacturing technology board.
- (3) One (1) person who represents the Indiana clean manufacturing technology and safe materials institute.
- (4) The president of the Indiana economic development council or the president's designee.
- (5) Three (3) persons who are representatives of manufacturing concerns.
- (6) One (1) person who represents a consumer organization.

(7) One (1) person who represents an environmental organization.

(8) One (1) person who represents organized labor.

(9) The commissioner of the department of environmental management or the commissioner's designee.

(d) Not more than six (6) members of the committee established under subsection (c) may belong to the same political party.

(e) If the governor fails to appoint members to the committee established by this SECTION by August 1, 1997, the chairman of the Indiana legislative council shall appoint the committee.

(f) Before the study described in subsection (b) is completed and recommendations are made to the general assembly, the governor, and the department of commerce, the Indiana economic development council shall make the study and recommendations available to the public for public comment.

(g) The Indiana economic development council shall conduct the study and make recommendations as required under subsection (b) before July 1, 1998.

(h) This SECTION expires July 1, 1998.

1997-125-58

SECTION 58. Notwithstanding IC 26-3-7-16, a person that is operating a warehouse in Indiana, or doing business as a grain buyer, or both, in Indiana on July 1, 1997, but does not have sufficient net worth to meet the net worth requirements added by this act, is not required to meet the increased net worth requirements added by this act until July 1, 1999.

1997-125-59

SECTION 59. (a) Notwithstanding IC 15-3-3-17(b), as added by this act, the state chemist may appoint voting members of the board to terms of less than four (4) years if:

(1) the state chemist appoints or reappoints an individual to a regular four (4) year term to fill the vacancy created by an individual who serves a term of less than four (4) years; and

(2) not more than three (3) terms will expire in any year following the expiration of this SECTION.

(b) This SECTION expires July 1, 2000.

1997-125-60

SECTION 60. (a) Notwithstanding IC 13-18-10-2.3, as amended by this act, a confined feeding operation that was approved under IC 13-18-10 before July 1, 1997, shall submit a manure management plan to the department of environmental management before July 1, 2000.

(b) This SECTION expires July 2, 2000.

1997-125-61

SECTION 61. (a) The department of environmental management shall update the department's guidance document concerning design and operation standards for confined feeding operations before January 1, 1998.

(b) This SECTION expires January 2, 1998.

1997-126-31

SECTION 31. (a) Not later than October 1, 1997, the budget agency shall submit to the governor, the president pro tempore of the senate, the speaker of the house of representatives, and the executive director of the legislative services agency a written report about the means by which the state may provide or cause to be provided within state constitutional limitations a program of financial assistance for all public water systems, as contemplated by the federal Safe Drinking Water Act (42 U.S.C. 300f et seq.), that regularly serve less than one hundred twenty thousand (120,000) persons in Indiana, regardless of whether the systems are owned or owned and operated by a political subdivision, a nonprofit utility, or a for profit utility.

(b) As used in this SECTION, "public water system" does not include a federally-owned public water system.

(c) The report shall include a draft of any proposed legislation needed to implement the program of financial assistance.

(d) This SECTION expires January 1, 1998.

1997-128-11

SECTION 11. (a) Not later than January 1, 1998, the department of environmental management shall apply to the United States Environmental Protection Agency for authority to receive petitions and delist wastes under 40 CFR 260.20 and 260.22.

(b) Not later than January 1, 1999, the solid waste management board shall adopt under IC 4-22-2 rules necessary to implement IC 13-22-11.5, as added by this act, including rules for the handling of secondary material and rules defining the legitimate use of a secondary material in an industrial or a manufacturing process. The rules must clarify the distinction between:

- (1) reclamation processes; and
- (2) industrial or manufacturing processes.

(c) This SECTION expires January 2, 1999.

1997-128-12

SECTION 12. (a) The department of environmental management shall follow the delisting criteria provided in 40 CFR 260.20 and 40 CFR 260.22.

(b) The solid waste management board shall adopt rules that provide procedures and criteria for delisting wastes as hazardous wastes before January 1, 1999.

(c) This SECTION expires on the earlier of:

- (1) the date rules adopted by the solid waste management board under subsection (b) become effective; or
- (2) December 31, 1998.

1997-129-4

SECTION 4. (a) The environmental quality service council shall develop a task force that includes representatives of the department of environmental management and the environmental quality service

council to study the technical feasibility of the use of shredder fluff as daily cover for litter and vermin control at landfills, including the effects of the use of shredder fluff on human health and the environment.

(b) Not later than December 31, 1997, the task force established under subsection (a) shall submit a report to the solid waste management board and the general assembly that describes the task force's findings and recommendations.

(c) This SECTION expires January 1, 1998.

1997-130-6

SECTION 6. (a) IC 13-14-9-4.5, as added by this act, only applies to rules for which a notice of a second public comment period is published under IC 13-14-9-4 after June 30, 1997.

(b) This SECTION expires July 1, 1999.

1997-131-9

SECTION 9. (a) IC 13-23-8-4(b)(3), as added by this act, does not apply to a corrective action plan submitted to the department of environmental management before June 1, 1997.

(b) This SECTION expires June 1, 2002.

1997-131-10

SECTION 10. (a) Before December 22, 1998, the solid waste management board may not substantially increase or alter compliance requirements on underground storage tank owners that exceed compliance requirements imposed on underground storage tank owners by the United States Environmental Protection Agency.

(b) This SECTION expires December 23, 1998.

1997-135-19

SECTION 19. (a) Subject to subsection (b), and notwithstanding IC 14-28-1-26.5, as added by this act, any dwelling, including a mobile home, constructed before March 1, 1997, that has been damaged by boundary river floodwater may be repaired, reconstructed, or replaced if the repair, reconstruction, or replacement meets the guidelines of the federal regulations described in IC 14-28-1-26.5(b), as added by this act, and subject to the discretion of:

- (1) the mayor, if the dwelling is located in a city;
- (2) the president of the town council, if the dwelling is located in a town; or
- (3) the county board of commissioners, if the dwelling is not located in a city or a town.

(b) This SECTION expires December 31, 2000.

1997-136-44

SECTION 44. (a) The department of natural resources shall address the issue of the impact on local governments of the withdrawal of property from taxation under the heritage trust program by participating in oversight reviews and studies conducted by the following:

- (1) The agricultural matters evaluation committee established by

the legislative council.

(2) The natural resources study committee established by IC 2-5-5-1.

(3) The project committee of the heritage trust program established by IC 14-12-2.

(4) The citizens' tax commission established by the governor.

(b) Not later than November 1, 1997, the department of natural resources shall present to the general assembly a report on the oversight reviews and studies referred to in subsection (a) of this SECTION.

(c) This SECTION expires December 1, 1997.

1997-136-45

SECTION 45. (a) If the holder of a commercial fishing license paid a fee for the renewal of the license for 1997 in an amount set forth in IC 14-22-14-10 and elects to reserve the license, the department shall refund to the license holder the difference between:

(1) the amount of the fee paid by the license holder for the renewal of the license for 1997; and

(2) the amount of the license reservation fee paid under IC 14-22-14-9.

(b) This SECTION expires January 1, 2000.

1997-136-46

SECTION 46. (a) At the first meeting of the Indiana soil conservation board held after June 30, 1997, the members of the board shall elect a chairman of the board under IC 14-32-2-8, as amended by this act. The chairman appointed under IC 14-32-2-8 before July 1, 1997, remains chairman until the election of a chairman under this SECTION.

(b) This SECTION expires July 1, 1998.

1997-138-3

SECTION 3. IC 14-22-10-2, as amended by this act, applies to causes of action that accrue after June 30, 1997.

1997-141-6

SECTION 6. (a) New members of the Kankakee River basin commission may be appointed under IC 14-30-1-6, as amended by this act, after June 30, 1997.

(b) An individual serving as a member of the Kankakee River basin commission on June 30, 1997, remains a member of the commission until a new member is appointed to the individual's position under IC 14-30-1-6, as amended by this act.

(c) This SECTION expires July 1, 2001.

1997-147-76

SECTION 76. (a) Before July 1, 1997, the governor shall remove:

(1) one (1) social worker member; and

(2) one (1) marriage and family therapist member;

as members of the social worker, marriage and family therapist, and

mental health counselor board appointed under IC 25-23.6-2-2, before its amendment by this act, and appoint two (2) mental health counselor members to fill the remainder of the terms.

(b) The governor shall appoint the following two (2) members of the social worker, marriage and family therapist, and mental health counselor board under IC 25-23.6-2-2, as amended by this act, to terms beginning July 1, 1997, as follows:

- (1) One (1) mental health counselor to a term of one (1) year.
 - (2) One (1) mental health counselor to a term of two (2) years.
- (c) This SECTION expires July 2, 1998.

1997-147-77

SECTION 77. (a) The rules adopted under IC 25-23.6, as amended by this act, and in effect on July 1, 1997, shall remain in effect until amended or repealed by the social worker, marriage and family therapist, and mental health counselor board under IC 25-23.6, as amended by this act.

(b) This SECTION expires July 1, 1999.

1997-147-78

SECTION 78. (a) Notwithstanding IC 25-23.6-2-2(1), through IC 25-23.6-2-2(3), as amended by this act, a member of the social worker, marriage and family therapist, and mental health counselor board is not required to be licensed under IC 25-23.6-2-2.

(b) This SECTION expires January 1, 1999.

1997-147-79

SECTION 79. (a) The definitions under IC 25-23.6, as amended by this act, apply throughout this SECTION.

(b) The board shall exempt an individual from the requirement under IC 25-23.6, as amended by this act, and grant the individual a mental health counselor license if the individual meets the following requirements:

- (1) Submits an application to the board before July 1, 1999.
- (2) Has a master's or doctor's degree from an institution of higher learning in at least one (1) of the following areas:
 - (A) Counseling.
 - (B) Clinical or counseling psychology.
 - (C) Mental health.
 - (D) Applied human development.
- (3) Presents evidence that the applicant is credentialed by a national organization that provides private credentialing in mental health counseling.
- (4) Presents evidence from employers or professional colleagues that the applicant has at least five (5) years of mental health counseling practice within the ten (10) years preceding the date of application.
- (5) Pays the fee required by the board.
- (6) Has not had a license, certificate, or registration in mental health counseling or a related profession suspended or revoked in any jurisdiction.

(7) Has not been convicted of a crime that has a direct bearing on the individual's ability to practice competently.

(8) Presents evidence that the applicant has completed at least two thousand (2,000) hours of supervised client counseling before the date of application.

(c) The board shall exempt an individual from the requirement under IC 25-23.6, as amended by this act, and grant the individual a marriage and family therapist license if the individual has a current certificate as a marriage and family therapist under IC 25-23.6 or obtains this certificate no later than June 30, 1999.

(d) The board shall exempt an individual from the requirement under IC 25-23.6, as amended by this act, and grant the individual a social worker license if the individual has a current certificate as a social worker under IC 25-23.6-5 or obtains this certificate no later than June 30, 1999.

(e) The board shall exempt an individual from the requirement under IC 25-23.6, as amended by this act, and grant the individual a clinical social worker license if the individual has a current certificate as a clinical social worker issued under IC 25-23.6 or obtains this certificate no later than June 30, 1999.

(f) Notwithstanding subsections (c), (d), and (e), if the board has:

(1) taken a disciplinary action against the certificate of a:

(A) certified marriage and family therapist;

(B) certified social worker; or

(C) certified clinical social worker;

before July 1, 1997; and

(2) imposed sanctions against an individual under subdivision (1); and the sanctions imposed under subdivision (2) remain in place, the board shall review the file of each individual described in this subsection to determine whether to grant a license to the individual as provided in this act. The board may grant a license with any restrictions the board believes are appropriate to protect the public health.

(g) This SECTION expires July 1, 1999.

1997-147-80

SECTION 80. If an individual is enrolled in a master's or doctoral level program accredited by the Council on Social Work Education no later than July 1, 1997:

(1) the individual may complete the requirements for certification as a clinical social worker under IC 25-23.6 as those requirements existed on June 30, 1997; and

(2) the social worker, marriage and family therapist, and mental health counselor board shall license the individual as a clinical social worker.

1997-147-81

SECTION 81. (a) Notwithstanding IC 25-23.6, as amended by this act, an individual may engage in the practice of social work, clinical social work, marriage and family therapy, and mental health counseling without a license issued under IC 25-23.6, as amended by this act.

(b) This SECTION expires July 1, 1999.

1997-150-6

SECTION 6. IC 27-8-26, as added by this act, applies to all applications and policies for accident and sickness insurance delivered, issued for delivery, renewed, or executed after December 31, 1997.

1997-156-4

SECTION 4. (a) As used in this SECTION, "board" refers to the professional standards board established by IC 20-1-1.4.

(b) From July 1, 1997, through August 31, 1999, the board may not grant an initial standard license to an individual unless the individual demonstrates proficiency in the following areas on a written examination or through other procedures prescribed by the board:

- (1) Communications skills.
- (2) General education.
- (3) Professional education.
- (4) Knowledge of the areas in which the individual is required to have a license to teach.

(c) An individual's license examination score may not be disclosed by the board without the individual's consent unless specifically required by state or federal statute or court order.

(d) The board shall adopt rules under IC 4-22-2 to allow an individual who completes a teacher preparation program before September 1, 1999, who is administered an examination described in subsection (b) before September 1, 1999, and who does not demonstrate the level of proficiency described in subsection (b)(1) or (b)(2) to be eligible for employment as a teacher:

- (1) on a renewable one (1) year limited license status; and
- (2) subject to the individual undergoing an additional examination in an area described in subsection (b)(1) or (b)(2) in which the individual did not demonstrate proficiency.

(e) The board shall adopt rules under IC 4-22-2 to do the following:

- (1) Adopt, validate, and implement the examination or other procedures required by subsection (b).
- (2) Establish examination scores indicating proficiency.
- (3) Otherwise carry out the purposes of this SECTION.

(f) The board shall adopt rules under IC 4-22-2 establishing the conditions under which the requirements of this SECTION may be waived for individuals holding valid teachers licenses issued by another state.

(g) Subsection (b) does not apply to individuals holding Indiana limited, reciprocal, or standard teaching licenses on June 30, 1985.

(h) If the board is notified by the department of state revenue that a person is on the most recent tax warrant list, the board may not grant an initial standard license to the person until:

- (1) the person provides the board with a statement from the department of state revenue indicating that the person's delinquent tax liability has been satisfied; or
- (2) the board receives a notice from the commissioner of the department of state revenue under IC 6-8.1-8-2(k).

(i) The board may not issue a license under this SECTION that is valid after September 1, 2000.

(j) This SECTION expires December 31, 2000.

1997-156-5

SECTION 5. (a) As used in this SECTION, "board" refers to the professional standards board established by IC 20-1-1.4.

(b) The board shall adopt rules under IC 4-22-2 to allow an individual who completes a teacher preparation program during calendar year 1999, who is administered on or after September 1, 1999, an examination described in IC 20-6.1-3-10.1(a), as added by this act, and who does not demonstrate the level of proficiency described in IC 20-6.1-3-10.1(a)(1), as added by this act, to be eligible for employment as a teacher:

- (1) on a renewable one (1) year limited license status; and
- (2) subject to the individual undergoing an additional examination as described in IC 20-6.1-3-10.1(a)(1), as added by this act.

(c) The board may not issue a license under this SECTION that is valid after December 31, 2001.

(d) This SECTION expires July 1, 2002

1997-163-2

SECTION 2. (a) As used in this SECTION, "committee" refers to the workforce development study committee established by subsection (b).

(b) The workforce development study committee is established.

(c) The committee shall perform the following duties:

- (1) Identify the multiple sources and amounts of federal, state, and local funds that are used for workforce development activities.
- (2) Identify the multiple entities involved in the administration of the funds identified in subdivision (1) at both the state and local levels.
- (3) Identify how the funds identified in subdivision (1) are used to provide workforce development services, with a particular focus on analyzing whether the resources are being used effectively to place individuals in jobs.
- (4) Evaluate models used in other states to maximize the coordination of workforce development resources and to eliminate the duplication of planning activities.
- (5) Make recommendations to the general assembly concerning how best to:
 - (A) coordinate overlapping funding sources and workforce development activities for workforce development; and
 - (B) coordinate overlapping local planning and coordinating boards involved in workforce development efforts.

(d) The committee may study other topics as assigned by the legislative council or as directed by the committee's chairman.

(e) The committee consists of twelve (12) members of the general assembly, appointed as follows:

- (1) The speaker of the house of representatives, with the advice of the Republican leader of the house of representatives, shall appoint six (6) representatives, not more than three (3) of whom

are of the same political party, as members of the committee.

(2) The president pro tempore of the senate, with the advice of the minority leader of the senate, shall appoint six (6) senators, not more than three (3) of whom are of the same political party, as members of the committee.

(f) At the time the committee members are appointed, the chairman of the legislative council shall name one (1) of the members chairman and the vice chairman of the legislative council shall name another member as vice chairman. The chairman and vice chairman serve until the first day of the second regular session of the general assembly. The vice chairman during the first session then becomes chairman and the chairman during the first session becomes vice chairman. The appointing authority may name a different chairman or vice chairman at any time.

(g) A member of the committee may be removed at any time by the appointing authority who appointed the member.

(h) The term of a member expires immediately upon the election of the general assembly following the member's appointment. A vacancy occurs if a legislative member leaves office for any reason. The appointing authority shall fill a vacancy on the committee by appointing a member for the unexpired term.

(i) The affirmative votes of a majority of the members appointed to the committee are required for the committee to take action on any measures, including final reports.

(j) The committee is under the jurisdiction of the legislative council and shall operate under the direction of the legislative council.

(k) Each member of the committee is entitled to receive the same per diem, mileage, and travel allowances paid to individuals serving as legislative members on interim study committees established by the legislative council.

(l) Staff and administrative support for the committee shall be provided by the legislative services agency.

(m) Before November 1, 1997, the committee shall issue an interim report. The committee shall issue the committee's final report not later than November 1, 1998. The committee shall issue other reports as directed by the legislative council.

(n) This SECTION expires November 2, 1998.

1997-166-13

SECTION 13. (a) Notwithstanding IC 22-12-4.5-4(a), as added by this act, the initial terms of the members of the regulated amusement device safety board are as follows:

(1) The term of a member appointed under IC 22-12-4.5-3(a)(2), IC 22-12-4.5-3(a)(3), IC 22-12-4.5-3(a)(4), IC 22-12-4.5-3(a)(5), and IC 22-12-4.5-3(a)(9)(B), all as added by this act, is two (2) years.

(2) The term of a member appointed under IC 22-12-4.5-3(a)(6), IC 22-12-4.5-3(a)(7), IC 22-12-4.5-3(a)(8), IC 22-12-4.5-3(a)(9)(A), and IC 22-12-4.5-3(a)(9)(C), all as added by this act, is three (3) years.

(b) This SECTION expires December 31, 2000.

1997-166-14

SECTION 14. (a) Not later than July 1, 1998, the fire prevention and building safety commission shall adopt the rules concerning the inspection of regulated amusement devices required under IC 22-15-7-4, as added by this act.

(b) This SECTION expires July 2, 1998.

1997-168-2

SECTION 2. The fire prevention and building safety commission shall adopt rules under IC 22-13-4-1.5, as amended by this act, before July 1, 1998. Before October 1, 1998, the commission shall apply to the United States Department of Justice for a certification of compliance with the Americans with Disabilities Act (42 U.S.C. 12181 et seq.).

1997-174-3

SECTION 3. IC 24-5-0.5-2 and IC 24-5-0.5-3, both as amended by this act, apply to local telephone directories published after May 31, 1997.

1997-175-8

SECTION 8. (a) The governor shall make the initial appointments to the Indiana hypnotist committee established by IC 25-20.5-1-7, as added by this act, before July 1, 1997.

(b) Notwithstanding IC 25-20.5-1-7, as added by this act, the initial terms of office of the members of the Indiana hypnotist committee are as follows:

- (1) One (1) hypnotist member and the licensed psychologist member for terms of one (1) year.
- (2) One (1) hypnotist member and the consumer member for terms of two (2) years.
- (3) One (1) hypnotist member and the physician member for terms of three (3) years.

(c) Notwithstanding IC 25-20.5-1-7, as added by this act, an individual appointed to the Indiana hypnotist committee as a member under this SECTION does not need to be certified as a hypnotist. However, a hypnotist member must have completed at least three hundred (300) supervised classroom hours of hypnotism education from a school that is approved by the Indiana commission on proprietary education under IC 20-1-19 or by any other state that has requirements as stringent as required in Indiana. No two (2) hypnotist members appointed to the Indiana hypnotist committee may belong to the same professional hypnosis association (as defined by IC 25-20.5-1-6).

(d) Notwithstanding IC 25-20.5-1-15, as added by this act, an individual who applies for certification to the Indiana hypnotist committee before January 1, 1998, may:

- (1) be certified as a hypnotist without being required to take the examination if the individual has completed at least three hundred (300) supervised classroom hours of hypnotism education from a school that is approved by the Indiana commission on proprietary education under IC 20-1-19 or by any other state that has

requirements as stringent as required in Indiana; or
(2) take the examination, notwithstanding the individual's failure to meet the requirements of IC 25-20.5-1-10(a)(1)(C), as added by this act, if the individual meets the other requirements under IC 25-20.5-1-10, as added by this act, and has had at least ten (10) years of continued experience in hypnotism or has completed before July 1, 1997, a course in hypnotism from a state approved school that included less than three hundred (300) classroom hours.

(e) This SECTION expires July 1, 2000.

1997-177-11

SECTION 11. (a) Only a physician licensed under IC 25-22.5 may treat a patient for the purpose of weight reduction or to control obesity with a Schedule III or Schedule IV controlled substance.

(b) A physician licensed under IC 25-22.5 may not prescribe, dispense, administer, supply, sell, or give any amphetamine, sympathomimetic amine drug, or compound designated as a Schedule III or Schedule IV controlled substance under IC 35-48-2-8 and IC 35-48-2-10 for a patient for purposes of weight reduction or to control obesity, unless the physician does the following:

(1) Determines:

(A) through review of:

(i) the physician's records of prior treatment of the patient;
or

(ii) the records of prior treatment of the patient provided by a previous treating physician or weight loss program;

that the physician's patient has made a reasonable effort to lose weight in a treatment program using a regimen of weight reduction based on caloric restriction, nutritional counseling, behavior modification, and exercise, without using controlled substances; and

(B) that the treatment described in clause (A) has been ineffective.

(2) Obtains a thorough history and performs a thorough physical examination of the physician's patient before initiating a treatment plan using a Schedule III or Schedule IV controlled substance for purposes of weight reduction or to control obesity.

(c) A physician licensed under IC 25-22.5 may not begin and shall discontinue using a Schedule III or Schedule IV controlled substance for purposes of weight reduction or to control obesity after the physician determines in the physician's professional judgment that:

(1) the physician's patient has failed to lose weight using a treatment plan involving the controlled substance;

(2) the controlled substance has provided a decreasing contribution toward further weight loss for the patient, unless continuing to take the controlled substance is medically necessary or appropriate for maintenance therapy;

(3) the physician's patient:

(A) has a history of; or

(B) shows a propensity for;

- alcohol or drug abuse; or
- (4) the physician's patient has consumed or disposed of a controlled substance in a manner that does not strictly comply with a treating physician's direction.
- (d) This SECTION expires July 1, 1999.

1997-177-12

SECTION 12. (a) The Indiana board of pharmacy (IC 25-26-13) shall recommend to the legislative council a plan for the monitoring of controlled substances. The report must be delivered to the legislative council not later than October 1, 1997.

(b) This SECTION expires October 2, 1997.

1997-177-13

SECTION 13. (a) Notwithstanding IC 4-22-2-37.1(a), the medical licensing board of Indiana (IC 25-22.5-2) shall adopt an emergency rule under IC 4-22-2-37.1 regarding the appropriate prescribing of Schedule III and Schedule IV controlled substances for the purpose of weight reduction or to control obesity.

(b) The emergency rule adopted under subsection (a) expires on the date that the rule under IC 25-22.5-2-7(9), as added by this act, is adopted.

(c) This SECTION expires July 1, 1998.

1997-177-14

SECTION 14. 844 IAC 5-2-21 is void. The publisher of the Indiana Administrative Code and Indiana Register shall remove this section from the Indiana Administrative Code.

1997-189-2

SECTION 2. IC 27-8-5.6-2, as amended by this act, applies only to a policy or contract of accident and sickness insurance that is issued or renewed after June 30, 1997.

1997-190-2

SECTION 2. IC 27-8-14.5, as added by this act, applies to all health insurance plans (as defined in IC 27-8-14.5-1, as added by this act) issued or renewed after December 31, 1997.

1997-193-3

SECTION 3. (a) The legislative services agency shall prepare legislation for introduction in the next regular session of the Indiana general assembly to replace the following terms that appear throughout the Indiana Code with the term "savings association" and to make other conforming changes necessitated by this act:

- (1) Building and loan association.
- (2) Savings and loan association.
- (3) Rural loan and savings association.
- (4) Guaranty and loan association.
- (5) Mutual association.
- (6) Stock association.

(b) This SECTION expires December 31, 1998.

1997-193-4

SECTION 4. (a) The following administrative rules are void: 750 IAC 5-1-4; 750 IAC 5-3; 750 IAC 5-5; 750 IAC 5-6; and 750 IAC 5-7.

(b) The publisher of the Indiana Administrative Code and the Indiana Register shall remove the void rules from the Indiana Administrative Code.

1997-199-7

SECTION 7. (a) This SECTION applies to the circuit and superior courts of a county having a population of more than three hundred thousand (300,000) but less than four hundred thousand (400,000) in which dissolution of marriage actions are filed.

(b) Notwithstanding IC 33-19-5-4, if a county meets the requirements of this SECTION, the clerk of the court shall collect from the party filing a dissolution of marriage action under IC 31 after December 31, 1997, a civil costs fee of one hundred twenty dollars (\$120). Within thirty (30) days after the clerk collects a fee, the clerk shall forward to the county auditor the difference between the fees collected under this subsection and the fees that would have been collected under IC 33-19-5-4. The county auditor shall deposit the fees forwarded by the clerk under this subsection into the alternative dispute resolution fund of the court for which the fees were collected.

(c) There is established an alternative dispute resolution fund for the circuit court and an alternative dispute resolution fund for the superior court. The exclusive source of money for each fund shall be the fees collected under subsection (b) for the circuit or superior court, respectively. The funds shall be used to foster alternative dispute resolution, including mediation, reconciliation, and parental counseling. Litigants referred by the court to services covered by the fund shall be required to make a copayment for the services in an amount determined by the court. The funds shall be administered by the circuit or superior court, respectively. Money in each fund at the end of a fiscal year does not revert to the county general fund, but remains in the fund for the uses specified in this subsection.

(d) A county desiring to participate in the program under this SECTION must submit a plan to the Indiana judicial conference not later than September 30, 1997. The plan must include information concerning how the county proposes to carry out the purposes of the alternative dispute resolution fund as set out in subsection (c). The judicial conference shall determine from the plan submitted under this subsection whether to approve the county's participation in the program. The judicial conference may request such additional information from the county as necessary to assist in a determination under this subsection.

(e) A county that participates in the program under this SECTION shall submit a report to the Indiana judicial conference not later than December 31, 1999, summarizing the results of the program.

(f) This SECTION expires July 1, 2000.

1997-202-8

SECTION 8. There is appropriated from the state general fund to the office of judicial administration, division of supreme court administration, two hundred fifty thousand dollars (\$250,000) for the period beginning July 1, 1997, and ending June 30, 1998, and four hundred thousand dollars (\$400,000) for the period beginning July 1, 1998, and ending June 30, 1999, to be used for the Indiana conference for legal education opportunity established by IC 33-2.1-12, as added by this act.

1997-202-9

SECTION 9. (a) The appropriations made by this act do not supplement any appropriations made by HEA 1001-1997 or another law enacted in the 1997 session of the general assembly.

(b) If appropriations are made by HEA 1001-1997 or another law enacted in the 1997 session of the general assembly, the amount of appropriation that is greater shall be appropriated as specified in this act.

(c) This SECTION expires July 1, 1999.

1997-205-2

SECTION 2. (a) The auditor of state shall, before September 2, 1997, distribute to each county the amount determined under STEP THREE of the following formula:

STEP ONE: Determine the amount received by the county as the county share for the fiscal year beginning July 1, 1996, and ending June 30, 1997, under P.L.216-1996, SECTION 29.

STEP TWO: Determine the amount that the county would have received as the county share for the fiscal year beginning July 1, 1996, and ending June 30, 1997, under IC 33-19-7-4 (b), if P.L.216-1996, SECTION 29, had not been enacted.

STEP THREE: Subtract STEP ONE from STEP TWO.

(b) Money distributed to a county under subsection (a) may be used by the county for any purposes for which money received by a county under IC 33-19-7-4 may be used.

(c) There is appropriated to the auditor of state from the state general fund an amount sufficient to fund the distribution required under subsection (a), beginning the date this act takes effect, and ending June 30, 1998.

(d) This SECTION expires June 30, 1998.

1997-207-2

SECTION 2. The statute of limitations under IC 34-1-70, as added by this act, for a claim based on participation in the illegal drug market that occurred before July 1, 1997, does not begin to run until July 1, 1997.

1997-208-2

SECTION 2. This act applies to a cause of action that accrues after June 30, 1997.

1997-212-2

SECTION 2. (a) Notwithstanding IC 35-42-2-1, a person who violates IC 35-42-2-1(a) commits a Class A misdemeanor if the offense is committed against an employee of a penal facility or a juvenile detention facility (as defined in IC 31-6-1-21.3) while the employee is engaged in the execution of the employee's official duties.

(b) Notwithstanding IC 35-42-2-1, a person who violates IC 35-42-2-1(a) commits a Class D felony if the offense results in bodily injury to an employee of a penal facility or a juvenile detention facility (as defined in IC 31-6-1-21.3) while the employee is engaged in the execution of the employee's official duties.

(c) This SECTION expires July 1, 1997.

1997-221-2

SECTION 2. (a) Notwithstanding IC 8-1-2-103(a), upon determination by a municipal council, after confirmation by an appropriate public health agency, that an area within the municipality served by private water wells suffers from a health hazard due to the presence of a contaminant, as defined in IC 13-11-2-42, the municipal council may:

(1) request the public utility providing water service within the municipality, if any, to prepare estimates of the cost of connections and main extensions which would remove the health hazard;

(2) review the estimates described in subdivision (1); and

(3) enter a determination that the public utility providing water service within the municipality, if any, extend its mains and perform such connections consistent with the cost estimates. However, a municipal council shall not enter a determination described in this subdivision that would increase any customer's monthly payment by more than one percent (1%) without approval of the commission.

(b) Following the determination and completion of the main extensions and connections as provided under subsection (a), the public utility shall add the total capital cost of the main extensions and connections to its rate base and recover a reasonable rate of return on such capital costs. A reasonable rate of return under this subsection is the most recent rate of return authorized by the commission. The public utility shall file an amended rate schedule with the commission, which shall be effective thirty (30) days after filing.

(c) This SECTION expires June 30, 2001.

1997-229-3

SECTION 3. A contract, agreement, or arrangement executed before the effective date of this act by a municipal utility (as defined in IC 36-7-30-1), as amended by this act, with any entity regarding services provided in the same manner as services provided under IC 36-7-30-33, as added by this act, is legalized and made valid and the contract, agreement, or arrangement is not subject to challenge.

1997-232-2

SECTION 2. IC 36-8-8-10, as amended by this act, applies only to members of the 1977 fund (as defined in IC 36-8-1-5) who initially:

- (1) become fifty-five (55) years of age; or
- (2) retire;

after June 30, 1997.

1997-239-1

SECTION 1. (a) A work group is established to develop solutions for the problems affecting the lakes of Indiana. The activities of the work group established by this SECTION shall be directed to problems and issues associated with lakes that meet the definition of public freshwater lake set forth in IC 14-26-2-3.

(b) The work group consists of twenty-six (26) members appointed as follows:

- (1) Four (4) members of the general assembly, consisting of:
 - (A) two (2) members of the house of representatives who may not be members of the same political party, appointed by the speaker of the house of representatives; and
 - (B) two (2) members of the senate, who may not be members of the same political party, appointed by the president pro tempore of the senate.
- (2) Three (3) representatives of the department of natural resources, at least one (1) of whom must be an officer in the division of law enforcement.
- (3) The commissioner of the department of environmental management or the commissioner's designee.
- (4) One (1) representative of the Indiana Lake Management Society or a similar organization of citizens concerned about lakes. This member is appointed by the governor.
- (5) One (1) representative of the Natural Resources Conservation Service of the United States Department of Agriculture appointed by the governor upon the recommendation of the Natural Resources Conservation Service.
- (6) One (1) representative of soil and water conservation districts organized under IC 14-32-3 or IC 13-3-1 (before its repeal). This member is appointed by the governor.
- (7) Ten (10) members appointed by the governor, each of whom is:
 - (A) a participant in lake related recreational activities;
 - (B) a resident of a lake area;
 - (C) the owner or operator of a lake related business; or
 - (D) interested in the natural environment of the lakes of Indiana.
- (8) One (1) representative of the United States Army Corps of Engineers appointed by the governor upon the recommendation of the commander of the Louisville District of the United States Army Corps of Engineers.
- (9) One (1) representative of an agricultural organization. This member is appointed by the governor.
- (10) One (1) representative of an environmental organization. This member is appointed by the governor.

(11) Two (2) other individuals appointed by the governor as at-large members.

(c) When appointing two (2) members of the house of representatives to the work group under subsection (b)(1)(A), the speaker of the house of representatives shall appoint one (1) of the representatives as the chairperson of the work group to serve beginning July 1, 1998, and ending July 1, 1999.

(d) When appointing two (2) members of the senate to the work group under subsection (b)(1)(B), the president pro tempore of the senate shall appoint one (1) of the senators as the chairperson of the work group beginning on the date of the appointment and ending June 30, 1998.

(e) To fill the positions created by subsection (b)(7), the governor shall appoint one (1) resident of each of the ten (10) congressional districts in Indiana.

(f) Each legislative member of the commission is entitled to receive the same per diem, mileage, and travel allowances paid to individuals who serve as legislative members of interim study committees established by the legislative council.

(g) Each lay member of the commission who is not a state employee is entitled to receive the same per diem, mileage, and travel allowances paid to individuals who serve as lay members of interim study committees established by the legislative council.

(h) The work group is under the direction of the department of natural resources. The department may contract with a facilitator to facilitate the work of the work group.

(i) The work group shall do the following:

(1) Conduct public meetings to hear testimony and receive written comments concerning problems affecting the lakes of Indiana.

(2) Develop proposed solutions to problems affecting the lakes of Indiana.

(3) Issue reports to the natural resources study committee when directed to do so.

(4) Issue:

(A) an interim report before July 1, 1998; and

(B) a final report before December 31, 1999.

(j) Upon completion of its proposed solutions to lake problems, the work group shall make the solutions available in writing to:

(1) the natural resources study committee;

(2) the department of natural resources; and

(3) the public.

(k) This SECTION expires January 1, 2000.

1997-243-1

SECTION 1. (a) As used in this SECTION, "committee" refers to the family and social services evaluation committee established under this SECTION.

(b) The family and social services evaluation committee is established.

(c) The committee shall review issues relating to the organization, delivery, and administration of family and social services programs.

(d) The committee shall examine the organizational structure of the office of the secretary of family and social services to determine whether that organizational structure facilitates the delivery of client services.

(e) The committee consists of eight (8) members of the general assembly, appointed in the following manner:

(1) Four (4) members of the house of representatives, appointed by the speaker of the house representatives, with the advice of the Republican leader of the house of representatives, not more than two (2) of whom are of the same political party.

(2) Four (4) members of the senate, appointed by the president pro tempore of the senate, with the advice of the minority leader of the senate, not more than two (2) of whom are of the same political party.

(f) The chairman of the legislative council shall appoint one (1) of the members named in subsection (e) to serve as chairman of the committee. The vice chairman of the legislative council shall appoint one (1) of the members named in subsection (e) to serve as vice chairman of the committee.

(g) The members serve at the will of the appointing authority. A vacancy on the committee shall be filled by the appointing authority who appointed the vacating member.

(h) The committee is under the jurisdiction of the legislative council and shall operate under the policies and procedures established by the legislative council for interim study committees.

(i) The legislative services agency shall provide staff support to the committee.

(j) The committee shall meet:

(1) during the interim between adjournment of the 1997 regular session and December 1, 1997; and

(2) during the interim between adjournment of the 1998 regular session and July 1, 1998;

upon the call of the chairman.

(k) The committee shall issue a report to the legislative council, stating the committee's findings, conclusions, and recommendations, not later than November 1, 1998.

(l) This SECTION expires January 1, 1999.

1997-245-1

SECTION 1. (a) As used in this SECTION, "bureau" refers to the bureau of developmental disabilities services.

(b) As used in this SECTION, "commission" refers to the Indiana commission on mental retardation and developmental disabilities established by P.L.78-1994.

(c) As used in this SECTION, "office" means the office of the secretary of family and social services established by IC 12-8-1-1.

(d) As used in this SECTION, "secretary" refers to the secretary of the office appointed under IC 12-8-1-2.

(e) As used in this SECTION, "task force" refers to the developmental disabilities task force established under this SECTION.

(f) The developmental disabilities task force is established.

(g) The task force consists of not more than twelve (12) members appointed by the secretary. Task force members may include representatives of families of individuals with mental retardation and developmental disabilities, for-profit residential-only service providers, nonprofit residential-only service providers, nonprofit residential service and day service providers, nonprofit day services-only providers, and other individuals who are consumers of mental retardation and developmental disabilities services, or members of a statewide taxpayer association.

(h) The members of the task force serve at the pleasure of the secretary. The secretary or the secretary's designee shall fill any vacancy on the task force within forty-five (45) days.

(i) The secretary, or the secretary's designee, shall be an ex officio member of the task force and serve as chairman.

(j) The task force shall do the following:

(1) Prepare a written comprehensive plan of implementation for the future of community living arrangements for persons with mental retardation and developmental disabilities in Indiana. The plan must include the following:

(A) Data collected that specifies how many individuals are receiving services and the types of services the individuals need.

(B) The configuration of service options that are needed in the future.

(C) A monitoring mechanism to determine the success and future needs under the plan.

(2) Present work progress updates of the task force at each commission meeting scheduled after July 31, 1997.

(3) Submit the plan to the commission for the commission's approval before July 1, 1998.

(k) The secretary shall provide staff support to the task force.

(l) This SECTION expires December 31, 1998.

1997-246-1

SECTION 1. (a) The regulatory flexibility committee established by IC 8-1-2.6-4 shall study competition and deregulation in the electric utility industry. At the discretion of a majority of the committee, the committee may submit a report concerning the study, along with any suggested legislation, to the legislative council.

(b) After the enactment of any proposed legislation prepared by the regulatory flexibility committee under this SECTION, the committee shall continue to monitor changes in the electric utility industry in accordance with IC 8-1-2.5-9.

(c) The regulatory flexibility committee shall meet on the call of the co-chairs. The committee shall, with the approval of the commission, retain independent consultants the committee considers appropriate to assist the committee in the review and study. The money needed to pay the expenses for the consultants is appropriated from the public utility fund under IC 8-1-6 to the legislative council.

(d) The legislative services agency shall provide support staff to the regulatory flexibility committee.

(e) Each member of the regulatory flexibility committee is entitled to receive the same per diem, mileage, and travel allowances paid to individuals who serve as legislative members of interim study committees established by the legislative council.

(f) This SECTION expires January 1, 1998.

1997-247-1

SECTION 1. (a) The state board of tax commissioners shall allow a township having a population of more than one thousand six hundred ninety-two (1,692) but less than one thousand seven hundred seven (1,707) located in a county having a population of more than one hundred sixty thousand (160,000) but less than two hundred thousand (200,000) to increase its levy in excess of the limitations established under IC 6-1.1-18.5-3 so that the property tax rate to pay the costs of furnishing fire protection for the township, or a portion of a township, enables the township to pay a fair and reasonable amount under a contract with fire protection providers. The state board of tax commissioners shall approve a levy in excess of the limitations under IC 6-1.1-18.5-3 for the three (3) years following the appeal. The approved levy may be different for each of the three (3) years following the appeal. In the fourth year after the appeal, the levy from the last year of the three (3) years following the appeal is the township levy.

(b) This SECTION expires January 1, 2001.

1997-247-2

SECTION 2. This act applies to property taxes first due and payable after December 31, 1996.

1997-247-3

SECTION 3. (a) Notwithstanding any other law, if a township is granted a levy increase under this act, the state board of tax commissioners may allow a delay in sending out the required notice under IC 6-1.1-22-8 to taxpayers in the township. The state board of tax commissioners shall issue instructions to administer the notification and collection of the increased levy for the first year.

(b) This SECTION expires January 1, 1999.

1997-247-4

SECTION 4. (a) Notwithstanding any other law, if a township is granted a levy increase under this act, and in the first year of the increase the township takes a loan to pay the township's fire protection providers, the state board of tax commissioners may allow an additional increase in the levy above the increase provided in this act during the second year of the increase to repay the loan from the first year.

(b) This SECTION expires January 1, 1999.

1997-247-5

SECTION 5. (a) Notwithstanding any other law, a township having a population of more than one thousand six hundred ninety-two (1,692) but less than one thousand seven hundred seven (1,707) located in a

county having a population of more than one hundred sixty thousand (160,000) but less than two hundred thousand (200,000) may transfer not more than eighteen thousand dollars (\$18,000) from the township general fund to the township firefighting fund to pay a fire protection provider contract for 1997.

(b) This SECTION expires January 1, 1999.

1997-249-1

SECTION 1. (a) The mutual insurance company study committee (referred to as the "committee" in this SECTION) is established.

(b) The committee shall study the law concerning mutual insurance companies and proposals to change that law. The committee may study other topics:

- (1) as assigned by the legislative council; or
- (2) as directed by the chairman of the committee.

(c) The committee consists of eight (8) members of the general assembly, appointed as follows:

- (1) The speaker of the house of representatives, with the advice of the republican leader of the house of representatives, shall appoint four (4) members of the house of representatives, not more than two (2) of whom are members of the same political party.
- (2) The president pro tempore of the senate, with the advice of the minority leader of the senate, shall appoint four (4) members of the senate, not more than two (2) of whom are members of the same political party.

(d) At the time the committee members are appointed, the speaker of the house of representatives shall name one (1) of the members chairman and the president pro tempore shall name another member vice chairman.

(e) The initial appointments to the committee shall be made before June 1, 1997. The appointments are for a term expiring December 1, 1997. A vacancy shall be filled through the appointment of a replacement by the appointing authority.

(f) To carry out its duties under this SECTION, the committee shall do the following:

- (1) Conduct meetings to hear the concerns of citizens of Indiana and obtain advice from interested professionals.
- (2) Issue a final report of its findings and recommendations to the legislative council and the general assembly not later than November 1, 1997.

(g) The committee shall meet at the call of the chairman or at other times determined by the committee. Notice of the time, place, and agenda of committee meetings shall be given in the same manner as it is given for meetings of interim study committees established by the legislative council.

(h) Each member of the committee is entitled to receive the same per diem, mileage, and travel allowance paid to members of the general assembly serving on interim study committees established by the legislative council.

(i) The committee is under the jurisdiction of the legislative council

and shall operate under policies and procedures established by the legislative council.

(j) The legislative council may establish a budget for the committee. Subject to prior authorization of the legislative council, the expenses incurred by the committee in performing its duties shall be paid from the funds appropriated to the council.

(k) The legislative services agency shall provide staff and administrative support for the committee.

(l) This SECTION expires December 1, 1997.

1997-249-2

SECTION 2. (a) As used in this SECTION, "committee" refers to the department of insurance pay study committee established by subsection (b).

(b) The department of insurance pay study committee is established.

(c) The committee consists of the following members:

(1) Two (2) representatives of the executive branch of state government, appointed by the governor.

(2) The chairperson of the house of representatives committee on insurance, corporations, and small business.

(3) The chairperson of the senate committee on insurance and interstate cooperation.

(4) Two (2) representatives of the insurance industry, appointed by the governor.

(d) Each member of the committee is entitled to receive the same per diem, mileage, and travel allowances paid to individuals who serve as legislative and lay members, respectively, on interim study committees established by the legislative council.

(e) Each year the chairperson of the legislative council shall appoint a member of the committee to serve as chairperson. The chairperson of the committee shall alternate annually between a member of the house of representatives and a member of the senate.

(f) If a member of the committee from the house of representatives ceases being a member of the house of representatives, the member ceases to be a member of the committee and the speaker of the house of representatives shall appoint another member of the house of representatives to fill the vacancy. If a member of the committee from the senate ceases being a member of the senate, the member ceases to be a member of the committee and the president pro tempore of the senate shall appoint another member of the senate to fill the vacancy.

(g) The committee shall conduct a continuing study of the current pay and positions within the department of insurance for the purpose of proposing legislation concerning an increase in pay and the number of positions within the department of insurance.

(h) The committee shall report the results of the committee's work to the general assembly.

(i) The department of insurance shall provide staff and administrative support to the committee.

(j) This SECTION expires January 1, 1999.

1997-250-2

SECTION 2. (a) The Indiana department of administration shall complete the conveyance required by SECTION 1(b) of this act before January 1, 1998.

(b) This SECTION expires July 1, 2000.

1997-253-42

SECTION 42. (a) The state board of accounts shall adopt rules under IC 4-22-2 to implement IC 5-24, as added by this act, before July 1, 1998.

(b) In establishing rules, the state board of accounts shall consider the following purposes of IC 5-24, as added by this act:

- (1) Facilitate economic development and efficient delivery of government services by means of reliable electronic messages.
- (2) Enhance public confidence in electronic signatures through the use of digital signatures.
- (3) Minimize the incidence of forged signatures and fraud in commerce.
- (4) Foster the development of electronic commerce through the use of digital signatures to lend authenticity and integrity to writings in any electronic medium.
- (5) Assure that proper management, oversight, and accountability are maintained for public entity digital signatures.
- (6) Establish, in coordination with other states, uniform rules regarding the authentication and reliability of electronic messages.

(c) In establishing rules, the state board of accounts shall seek the advice of public and private entities including the following:

- (1) The information services division of the department of administration.
- (2) The procurement division of the department of administration.
- (3) The data processing oversight committee.
- (4) The access Indiana information network.
- (5) The treasurer of state.
- (6) The auditor of state.
- (7) The department of environmental management.
- (8) The Indiana department of transportation.
- (9) The secretary of state.
- (10) The commission on public records.

(d) This SECTION expires January 1, 1999.

1997-253-46

SECTION 46. SENATE ENROLLED ACT 74-1997, SECTION 8, IS AMENDED TO READ AS FOLLOWS: SECTION 8. (a) The governor shall make the initial appointments to the Indiana hypnotist committee established by IC 25-20.5-1-7, as added by this act, before July 1, 1997.

(b) Notwithstanding IC 25-20.5-1-7, as added by this act, the initial terms of office of the members of the Indiana hypnotist committee are as follows:

- (1) One (1) hypnotist member and the licensed psychologist member for terms of one (1) year.

(2) One (1) hypnotist member and the consumer member for terms of two (2) years.

(3) One (1) hypnotist member and the physician member for terms of three (3) years.

(c) Notwithstanding IC 25-20.5-1-7, as added by this act, an individual appointed to the Indiana hypnotist committee as a member under this SECTION does not need to be certified as a hypnotist. However, a hypnotist member must have completed at least three hundred (300) supervised classroom hours of hypnotism education from a school that is approved by the Indiana commission on proprietary education under IC 20-1-19 or by any other state that has requirements as stringent as required in Indiana. No two (2) hypnotist members appointed to the Indiana hypnotist committee may belong to the same professional hypnosis association (as defined by IC 25-20.5-1-6).

(d) Notwithstanding IC 25-20.5-1-15, as added by this act, an individual who applies for certification to the Indiana hypnotist committee before January 1, 1998, may:

(1) be certified as a hypnotist without being required to take the examination if the individual has completed at least three hundred (300) supervised classroom hours of hypnotism education from a school that is approved by the Indiana commission on proprietary education under IC 20-1-19 or by any other state that has requirements as stringent as required in Indiana; or

(2) take the examination, notwithstanding the individual's failure to meet the requirements of IC 25-20.5-1-11(a)(1)(C), as added by this act, if the individual meets the other requirements under IC 25-20.5-1-11, as added by this act, and has had at least ten (10) years of continued experience in hypnotism or has completed before July 1, 1997, a course in hypnotism from a state approved school that included less than three hundred (300) classroom hours.

(e) This SECTION expires July 1, 2000.

1997-255-22

SECTION 22. The provisions of this act are severable in the manner provided by IC 1-1-1-8(b).

1997-257-42

SECTION 42. The division of family and children under IC 12-13 shall seek any available waivers from the Secretary of the United States Department of Health and Human Services that are required to carry out the provisions of this act.

1997-257-43

SECTION 43. (a) The centralized system study committee is established.

(b) The committee shall study issues relating to the collection and disbursement of child support in Indiana, including the feasibility of implementing a centralized system in Indiana as required by federal law, with an emphasis placed on ensuring that families who are owed

support are served in the most effective, efficient, and expeditious way possible.

(c) The committee consists of eight (8) members of the general assembly, appointed as follows:

(1) The speaker of the house of representatives, with the advice of the republican leader of the house of representatives, shall appoint four (4) members of the house of representatives, not more than two (2) of whom are members of the same political party.

(2) The president pro tempore of the senate, with the advice of the minority leader of the senate, shall appoint four (4) members of the senate, not more than two (2) of whom are members of the same political party.

(d) At the time the committee members are appointed, the:

(1) president pro tempore of the senate shall name one (1) of the members chairman; and

(2) speaker of the house of representatives shall name another member vice chairman.

(e) The initial appointments to the committee shall be made before July 1, 1997. The appointments are for a term expiring December 1, 1997. A vacancy shall be filled through the appointment of a replacement by the appointing authority.

(f) The committee shall issue a final report of its findings and recommendations to the legislative council and the general assembly not later than November 1, 1997.

(g) The committee shall meet at the call of the chairman or at other times determined by the committee.

(h) Each member of the committee is entitled to receive the same per diem, mileage, and travel allowance paid to members of the general assembly serving on interim study committees established by the legislative council.

(i) The committee is under the jurisdiction of the legislative council and shall operate under policies and procedures established by the legislative council.

(j) The legislative council may establish a budget for the committee. Subject to prior authorization of the legislative council, the expenses incurred by the committee in performing its duties shall be paid from the funds appropriated to the council.

(k) The legislative services agency shall provide staff and administrative support for the committee.

(l) This SECTION expires November 1, 1997.

1997-260-1

SECTION 1. (a) The following definitions apply throughout this act:

(1) "Personal services" includes payments for salaries and wages to officers and employees of the state (either regular or temporary), payments for compensation awards, special payments for expert service, and the employer's share of Social Security, health insurance, life insurance, and retirement fund contributions.

(2) "Other operating expense" includes payments for "services

other than personal", "services by contract", "supplies, materials, and parts", "grants, subsidies, refunds, and awards", "in-state travel", "out-of-state travel", and "equipment", unless equipment is included as a separate line item.

(3) "Equipment" includes payments for machinery, implements, tools, furniture, furnishings, vehicles, and other articles that have a calculable period of service for more than twelve (12) calendar months.

(4) "Total operating expense" includes payments for both "personal services" and "other operating expense".

(5) "Pension fund contributions" means the state of Indiana's contribution to a specific retirement fund.

(6) "Deficiency appropriation" or "special claim" means an appropriation available during the 1996-97 fiscal year.

(7) "Fee replacement" includes repayment on indebtedness resulting from financing the cost of planning, purchasing, rehabilitation, construction, repair, leasing, lease-purchasing, or otherwise acquiring land, buildings, facilities, and equipment to be used for academic and instructional purposes.

(8) "Year 1997-98" means the fiscal year beginning July 1, 1997, and ending June 30, 1998.

(9) "Year 1998-99" means the fiscal year beginning July 1, 1998, and ending June 30, 1999.

(10) "Biennium" means the period beginning July 1, 1997, and ending June 30, 1999.

(11) "State agency" means:

(A) each office, officer, board, commission, department, division, bureau, committee, fund, agency, authority, council, or other instrumentality of the state;

(B) each hospital, penal institution, and other institutional enterprise of the state;

(C) the judicial department of the state; and

(D) the legislative department of the state.

However, this term does not include cities, towns, townships, school cities, school townships, school districts, other municipal corporations or political subdivisions of the state, or universities and colleges supported in whole or in part by state funds.

(b) The state board of finance may authorize advances to boards or persons having control of the funds of any institution or department of the state of a sum of money out of any appropriation available at such time for the purpose of establishing working capital to provide for payment of expenses in the case of emergency when immediate payment is necessary or expedient. Advance payments shall be made by warrant by the auditor of state, and properly itemized and receipted bills or invoices shall be filed by the board or persons receiving the advance payments.

(c) All money appropriated by this act shall be considered either a direct appropriation or an appropriation from a rotary or revolving fund.

(1) Direct appropriations are subject to withdrawal from the state treasury and for expenditure for such purposes, at such time, and

in such manner as may be prescribed by law. Direct appropriations are not subject to return and rewithdrawal from the state treasury, except for the correction of an error which may have occurred in any transaction or for reimbursement of expenditures which have occurred in the same fiscal year.

(2) A rotary or revolving fund is any designated part of a fund which is set apart as working capital in a manner prescribed by law and devoted to a specific purpose or purposes. The fund consists of earnings and income only from certain sources or a combination thereof. However derived, the money in the fund shall be used for the purpose designated by law as working capital. The whole or any part of the money withdrawn from the fund may be repaid at any time. The fund at any time consists of the original appropriation thereto, if any, all receipts accrued to the fund, and all money withdrawn from the fund and invested or to be invested. The fund shall be kept intact by separate entries in the auditor of state's office, and no part thereof shall be used for any purpose other than the lawful purpose of the fund or revert to any other fund at any time. However, any unencumbered excess above any prescribed amount shall be transferred to the state general fund at the close of each fiscal year unless otherwise specified in the Indiana Code.

1997-260-2

SECTION 2. For the conduct of state government, its offices, funds, boards, commissions, departments, societies, associations, services, agencies, and undertakings, and for other appropriations not otherwise provided by statute, the following sums in SECTIONS 3 through 9 are appropriated for the periods of time designated, from the general fund of the state of Indiana or other specifically designated funds.

1997-260-3

SECTION 3. GENERAL GOVERNMENT

	Year 1997-98	Year 1998-99
GENERAL GOVERNMENT		
A. LEGISLATIVE		
FOR THE GENERAL		
ASSEMBLY -		
LEGISLATORS'		
SALARIES-HOUSE		
Total Operating		
Expense	3,095,816	3,717,112
HOUSE EXPENSES		
Total Operating		
Expense	7,341,993	7,341,993
LEGISLATORS'		
SALARIES-SENATE		
Total Operating		
Expense	1,002,328	1,004,068

SENATE EXPENSES

Total Operating

Expense	5,380,806	6,476,103
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Included in the above appropriations for house and senate expenses are funds for a legislative business per diem allowance. Except as provided below, this allowance is to be paid to each member of the general assembly for every day including Sundays, during which the general assembly is convened in regular or special session, commencing with the day the session is officially convened, and concluding with the day the session is adjourned sine die. However, after five (5) consecutive days of recess, the legislative business per diem allowance is to be made on an individual voucher basis until the recess concludes.

Members of the general assembly are entitled, when authorized by the speaker of the house or the president pro tempore of the senate, to the legislative business per diem allowance for each and every day engaged in official business.

The legislative business per diem allowance that each member of the general assembly is entitled to receive equals the maximum daily amount allowable to employees of the executive branch of the federal government for subsistence expenses while away from home in travel status in the Indianapolis area. The legislative business per diem changes each time there is a change in that maximum daily amount.

In addition to the legislative business per diem allowance, each member of the general assembly shall receive the same mileage allowance as state employees for each mile necessarily traveled from the member's usual place of residence to the state capitol. However, if the member traveled by a means other than by motor vehicle, and the member's usual place of residence is more than one hundred (100) miles from the state capitol, the member is entitled to reimbursement in an amount equal to the lowest air travel cost incurred in traveling from the usual place of residence to the state capitol. During the period the general assembly is convened in regular or special session, the mileage allowance shall be limited to one (1) trip each week per member.

Any member of the general assembly who is appointed, either by the governor, speaker of the house, president or president pro tempore of the senate, house or senate minority floor leader, or Indiana legislative council to serve on any research, study, or survey committee or commission, or who attends any meetings authorized or convened under the auspices of the Indiana legislative council, including pre-session conferences and federal-state relations conferences, is entitled, when authorized by the legislative council, to receive the legislative business per diem allowance for each day in actual attendance at any meeting of such committee, commission, or conference. The member is also entitled to a mileage allowance, at the rate specified above, for each mile necessarily traveled from the member's usual place of residence to the state capitol, or other in-state site of the committee, commission, or conference. The per diem allowance and the mileage allowance permitted under this paragraph shall be paid from the legislative council appropriation for legislator

and lay member travel unless otherwise provided for by a specific appropriation. Any member of the general assembly attending an out-of-state meeting, as authorized by the speaker of the house of representatives or the president pro tempore of the senate, is entitled to receive:

- (1) the legislative business per diem allowance for each day the member is engaged in approved out-of-state travel; and
- (2) reimbursement for traveling expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the legislative council.

Notwithstanding the provisions of this or any other statute, the legislative council may adopt, by resolution, travel policies and procedures that apply only to members of the general assembly or to the staffs of the house of representatives, senate, and legislative services agency, or both members and staffs. The legislative council may apply these travel policies and procedures to lay members serving on research, study, or survey committees or commissions that are under the jurisdiction of the legislative council. Notwithstanding any other law, rule, or policy, the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency do not apply to members of the general assembly, to the staffs of the house of representatives, senate, or legislative services agency, or to lay members serving on research, study, or survey committees or commissions under the jurisdiction of the legislative council (if the legislative council applies its travel policies and procedures to lay members under the authority of this SECTION), except that until the legislative council adopts travel policies and procedures the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency apply to members of the general assembly, to the staffs of the house of representatives, senate, and legislative services agency, and to lay members serving on research, study, or survey committees or commissions under the jurisdiction of the legislative council. The executive director of the legislative services agency is responsible for the administration of travel policies and procedures adopted by the legislative council. The auditor of state shall approve and process claims for reimbursement of travel related expenses under this paragraph based upon the written affirmation of the speaker of the house of representatives, the president pro tempore of the senate, or the executive director of the legislative services agency that those claims comply with the travel policies and procedures adopted by the legislative council. If the funds appropriated for the house and senate expenses and legislative salaries are insufficient to pay all the necessary expenses incurred, including the cost of printing the journals of the house and senate, there are hereby appropriated such further sums as may be necessary to pay such expenses.

LEGISLATORS'

SUBSISTENCE

House Total

Operating

Expense	1,255,450	1,106,775
Senate Total		
Operating		
Expense	568,131	492,150

Each member of the general assembly is entitled to a subsistence allowance of \$25 per day for:

- (1) each day that the general assembly is not convened in regular or special session; and
- (2) each day after the first session day and before the second session day of each regular session, and any day during that time period that the general assembly is convened in special session.

The subsistence allowance is payable from the appropriations for legislators' subsistence.

The leadership of the senate and house are entitled to the following amounts annually in addition to the subsistence allowance: Officers of the senate: president pro tempore, \$6,500; assistant president pro tempore, \$2,500; majority floor leader, \$5,000; assistant majority floor leader, \$1,000; majority caucus chairman, \$5,000; assistant majority caucus chairman, \$1,000; finance committee chairman, \$5,000; budget subcommittee chairman, \$4,000; majority whip, \$1,500; minority floor leader, \$5,500; minority caucus chairman, \$4,500; minority assistant floor leader, \$4,500; finance committee ranking minority member, \$3,500; minority whip, \$1,500; and assistant minority caucus chairman, \$500.

Officers of the house of representatives are entitled to the following amounts in addition to the subsistence allowance: speaker of the house, \$6,500; speaker pro tempore, \$5,000; deputy speaker pro tempore, \$500; majority floor leader, \$5,000; majority caucus chairman, \$5,000; assistant majority caucus chairman, \$1,000; ways and means committee chairman, \$5,000; ways and means committee ranking majority member, \$3,000; budget subcommittee chairman, \$3,000; majority whip, \$3,500; assistant majority whip, \$1,000; assistant majority floor leader, \$1,000; minority floor leader, \$5,500; minority caucus chairman, \$4,500; ways and means committee ranking minority member, \$3,500; minority whip, \$1,500; and minority assistant floor leader, \$3,500.

If the funds appropriated for legislators' subsistence are insufficient to pay all the subsistence incurred, there are hereby appropriated such further sums as may be necessary to pay such subsistence.

FOR THE PUBLIC
EMPLOYEES' RETIREMENT
FUND

LEGISLATORS'
RETIREMENT FUND

Total Operating		
Expense	200,625	200,625

FOR THE LEGISLATIVE
COUNCIL AND THE
LEGISLATIVE
SERVICES AGENCY
Total Operating

Expense	6,352,445	6,671,768
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LEGISLATOR AND
LAY MEMBER TRAVEL

Total Operating		
Expense	494,247	494,832

If the funds above appropriated for the legislative council and the legislative services agency and legislator and lay member travel are insufficient to pay all the necessary expenses incurred, there are hereby appropriated such further sums as may be necessary to pay those expenses.

Any person other than a member of the general assembly who is appointed by the governor, speaker of the house, president or president pro tempore of the senate, house or senate minority floor leader, or legislative council to serve on any research, study, or survey committee or commission is entitled, when authorized by the legislative council, to a per diem in lieu of subsistence of \$50 per day during the 1997-99 biennium. In addition to the per diem, such a person is entitled to mileage reimbursement, at the rate specified for members of the general assembly, for each mile necessarily traveled from the person's usual place of residence to the state capitol or other in-state site of the committee, commission, or conference. However, reimbursement for any out-of-state travel expenses claimed by lay members serving on research, study, or survey committees or commissions under the jurisdiction of the legislative council shall be based on SECTION 13 of this act, until the legislative council applies those travel policies and procedures that govern legislators and their staffs to such lay members as authorized elsewhere in this SECTION. The allowance and reimbursement permitted in this paragraph shall be paid from the legislative council appropriations for legislative and lay member travel unless otherwise provided for by a specific appropriation.

FOR THE LEGISLATIVE
COUNCIL

CONTINGENCY FUND

Total Operating		
Expense for		
the Biennium	200,000	

Disbursements from the fund may be made only for purposes approved by the chairman and vice chairman of the legislative council.

LEGISLATIVE COUNCIL
ANNEXATION STUDY

Total Operating		
Expense for the		
Biennium	50,000	

DISTRIBUTION OF
PRINTED JOURNALS,
BILLS, RESOLUTIONS,
AND ENROLLED
DOCUMENTS

Total Operating		
Expense	585,000	340,000

If the above appropriation for distribution of printed journals, bills,

resolutions, and enrolled documents is insufficient, there are hereby appropriated such sums as may be necessary to pay for distribution of printed journals, bills, resolutions, and enrolled documents.

PRINTING AND
DISTRIBUTING
THE ACTS

Total Operating		
Expense	92,000	59,000

The above funds are appropriated for printing and distributing the acts of the first and second regular sessions of the 110th general assembly. Upon completion of the distribution as provided by IC 2-6-1.5, additional copies may be sold at a price or prices periodically determined by the legislative council. If the funds above appropriated for printing and distributing the acts are insufficient to pay all of the necessary expenses incurred, there are hereby appropriated such further sums as may be necessary to pay such expenses.

PUBLICATION
OF THE INDIANA
CODE

Total Operating		
Expense	425,000	668,000

The above funds are for recompilation of and printing of supplements to the Indiana Code for fiscal years 1997-98 and 1998-99. Upon completion of the distribution as provided in IC 2-6-1.5, remaining copies may be sold at a price or prices periodically determined by the legislative council. If the above appropriations for publication of the Indiana Code are insufficient to pay all of the necessary expenses incurred, there are hereby appropriated such further sums as may be necessary to pay such expenses.

NATIONAL CONFERENCE OF
STATE LEGISLATURES
HOST COMMITTEE

Other Operating		
Expense for the		
Biennium	100,000	

NATIONAL CONFERENCE OF
STATE LEGISLATURES BLACK
CAUCUS

Other Operating		
Expense for the		
Biennium	50,000	

COUNCIL OF STATE
GOVERNMENTS

Annual Dues		
Other Operating		
Expense	109,077	112,349

NATIONAL CONFERENCE
OF STATE
LEGISLATURES

Annual Dues

Other Operating Expense	122,776	127,761
PUBLICATION OF THE INDIANA ADMINISTRATIVE CODE		
Total Operating Expense	60,000	79,000
PRINTING AND DISTRIBUTING THE INDIANA REGISTER		
Total Operating Expense	140,000	140,000
BLOCK BOUNDARY SUGGESTION PROGRAM		
Total Operating Expense	230,000	185,000
FOR THE INDIANA LOBBY REGISTRATION COMMISSION		
Total Operating Expense	136,199	136,411
B. JUDICIAL FOR THE SUPREME COURT		
Personal Services	3,766,553	3,972,821
Other Operating Expense	1,096,610	1,033,960
The above appropriation for the supreme court other operating expense includes the subsistence allowance as provided by IC 33-13-12.		
FOR THE COURT OF APPEALS		
Personal Services	6,105,426	6,365,292
Other Operating Expense	976,000	879,000
The above appropriation for the court of appeals other operating expense includes the subsistence allowance provided by IC 33-13-12.		
FOR THE CLERK OF THE SUPREME AND APPEALS COURTS		
Personal Services	581,956	583,187
Other Operating Expense	181,001	181,001
FOR THE TAX COURT		
Personal Services	379,495	383,739
Other Operating Expense	98,471	99,471

FOR THE JUDICIAL
CENTER

Personal		
Services	765,278	732,088
Other Operating		
Expense	551,774	550,767

The above appropriations for the judicial center include the appropriations for the judicial conference.

DRUG AND ALCOHOL
PROGRAMS FUND

Total Operating		
Expense	299,010	299,010

The above funds are appropriated under IC 33-19-7-5 for the purpose of administering, certifying, and supporting alcohol and drug services programs under IC 12-23-14. However, if the receipts are less than the appropriation, the center shall not spend more than is collected.

FOR THE PUBLIC
DEFENDER

Personal		
Services	4,355,574	4,575,764
Other Operating		
Expense	1,334,991	1,352,620

FOR THE PUBLIC
DEFENDER COUNCIL

Personal		
Services	567,841	765,727
Other Operating		
Expense	207,253	239,018

FOR THE
PROSECUTING
ATTORNEYS'
COUNCIL

Personal		
Services	467,031	720,043
Other Operating		
Expense	156,256	185,756

DRUG PROSECUTION

Total Operating		
Expense	67,000	121,000

The above appropriations for drug prosecution are hereby appropriated from revenues accruing to the drug prosecution fund as provided in IC 33-14-8-5. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the fund.

FOR THE
SUPREME COURT
SPECIAL JUDGES
- COUNTY COURTS

Personal		
Services	50,000	50,000

Other Operating		
Expense	185,272	185,272

If the funds appropriated above for special judges of county courts are insufficient to pay all of the necessary expenses which the state is required to pay under IC 34-1-13-4, there are hereby appropriated such further sums as may be necessary to pay such expenses.

FOR THE
DIVISION OF
STATE COURT
ADMINISTRATION
GUARDIAN AD
LITEM

Total Operating		
Expense for		
the Biennium	1,200,000	

The division of state court administration shall use the foregoing appropriation to administer an office of guardian ad litem and court appointed special advocate services and to provide matching funds to counties that are required to implement, in courts with juvenile jurisdiction, a guardian ad litem and court appointed special advocate program for children who are alleged to be victims of child abuse or neglect under IC 31-33 and to administer the program. However, the court may not use more than \$75,000 per state fiscal year for administration of the program. A county may use these matching funds to supplement amounts collected as fees under IC 31-40-3 and used for the operation of guardian ad litem and court appointed special advocate programs. The county fiscal body shall appropriate adequate funds for the county to be eligible for these matching funds.

PUBLIC
DEFENDER
COMMISSION

Total Operating		
Expense	1,250,000	1,250,000

Of the above funds appropriated to the public defender commission created by IC 33-9-13, in compliance with the provisions of IC 33-19-7-5, \$650,000 each fiscal year is to be paid from the public defense fund created by IC 33-9-14. An additional \$600,000 is hereby appropriated each fiscal year from the state general fund. The above appropriations are for the purpose of reimbursing counties for indigent defense services provided to a defendant. The division of state court administration of the supreme court of Indiana shall provide staff support to the commission and shall administer the fund. The administrative costs may come from the fund.

LOCAL JUDGES'
SALARIES

Personal		
Services	36,304,214	37,076,424
Other Operating		
Expense	21,050	21,050

COUNTY
PROSECUTORS'

SALARIES

Personal		
Services	16,177,431	16,833,047
Other Operating		
Expense	5,500	5,500

The above appropriations for county prosecutors' salaries represent the amounts authorized by IC 33-14-7-5 and that are to be paid from the state general fund.

In addition to the appropriations for local judges' salaries and for county prosecutors' salaries, there are hereby appropriated for personal services the amounts that the state is required to pay for salary changes or for additional courts created by the 110th general assembly.

FOR THE

PUBLIC EMPLOYEES'

RETIREMENT FUND

JUDGES'

RETIREMENT FUND

Other Operating		
Expense	7,278,390	7,715,093

PROSECUTORS'

RETIREMENT FUND

Other Operating		
Expense	184,350	184,350

C. EXECUTIVE

FOR THE GOVERNOR'S

OFFICE

Personal		
Services	1,812,006	1,816,138
Other Operating		
Expense	282,624	282,624

GOVERNOR'S

RESIDENCE

Total Operating		
Expense	175,233	175,535

CONTINGENCY FUND

Total Operating		
Expense for		
the Biennium	185,270	

Direct disbursements from the above contingency fund are not subject to the provisions of IC 4-13.4.

MISCELLANEOUS

EXPENSES

Total Operating		
Expense	11,117	11,117

EXECUTIVE

INTERNATIONAL

DEVELOPMENT

CONTINGENCY FUND

Total Operating		
Expense for		
the Biennium	185,270	

GOVERNOR'S FELLOWSHIP PROGRAM		
Total Operating Expense	298,874	299,506
CITIZENS' COMMISSION ON TAXES		
Total Operating Expense for the Biennium	150,000	
FOR THE WASHINGTON LIAISON OFFICE		
Total Operating Expense	195,604	195,604
FOR THE GOVERNOR'S COMMISSION ON COMMUNITY SERVICES AND VOLUNTEERISM		
Personal Services	81,667	81,849
Other Operating Expense	25,037	25,037
FOR THE AUDITOR OF STATE GOVERNORS' AND GOVERNORS' SURVIVING SPOUSES' PENSIONS		
Total Operating Expense	99,500	99,500
The above appropriations for governors' and governors' surviving spouses' pensions are made pursuant to IC 4-3-3.		
FOR THE STATE ETHICS COMMISSION		
Personal Services	216,775	217,253
Other Operating Expense	39,571	39,571
FOR THE LIEUTENANT GOVERNOR		
Personal Services	727,962	729,628
Other Operating Expense	44,035	44,035
CONTINGENCY FUND		
Total Operating Expense for the Biennium	40,000	

Direct disbursements from the above contingency fund are not subject to the provisions of IC 4-13.4.

FOR THE SECRETARY

OF STATE -

CORPORATIONS

AND

ADMINISTRATION

Personal

Services	859,333	857,548
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Other Operating

Expense	220,196	220,196
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UNIFORM

COMMERCIAL CODE

Personal

Services	217,517	217,949
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Other Operating

Expense	15,050	15,050
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SECURITIES

DIVISION

Personal

Services	553,526	554,878
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Other Operating

Expense	21,803	21,803
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FOR THE ATTORNEY

GENERAL -

ATTORNEY GENERAL

Personal

Services	9,813,972	9,835,911
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Other Operating

Expense	681,600	691,700
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MEDICAID FRAUD

UNIT

Total Operating

Expense	293,824	293,824
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The above appropriations to the Medicaid fraud unit are the state's matching share of the state Medicaid fraud control unit pursuant to IC 4-6-10 as prescribed by 42 U.S.C. 1396b(q). With the approval of the governor and the budget agency, the above appropriation for the Medicaid fraud unit may be augmented for the purpose of offsetting costs of the unit from revenues collected by the state from court settlements or judgments in Medicaid fraud cases.

UNCLAIMED PROPERTY

Personal

Services	627,888	629,095
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Other Operating

Expense	150,650	150,650
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The above funds appropriated to the unclaimed property division are to be paid from the abandoned property fund created by IC 32-9-1.5-33, and shall be used to cover administrative expenses incurred in carrying out the provisions of that chapter. With the approval of the governor and the budget agency, said sums may be

augmented from revenues accruing to the fund.

D. FINANCIAL
MANAGEMENT
FOR THE AUDITOR
OF STATE

Personal		
Services	3,540,476	3,548,344
Other Operating		
Expense	1,051,053	1,043,185

DISTRIBUTION TO
COUNTIES FOR
COURT FEES

Other Operating	
Expense	500,000

The above funds are appropriated and shall be distributed by the auditor of state in compliance with SEA 115-1997, SECTION 2, to make up for a shortfall in the percentage of court fees that the counties are to receive for the fiscal year ending June 30, 1997. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the state general fund.

FOR THE STATE BOARD
OF ACCOUNTS

Personal		
Services	14,462,459	14,692,799
Other Operating		
Expense	1,450,913	1,204,440

FOR THE STATE
BUDGET COMMITTEE

Total Operating	
Expense	37,033

Notwithstanding IC 4-12-1-11(b), the salary per diem of the legislative members of the budget committee is an amount equal to one hundred fifty percent (150%) of the legislative business per diem allowance. If the above appropriations are insufficient to carry out the necessary operations of the budget committee, there are hereby appropriated such further sums as may be necessary.

FOR THE STATE
BUDGET AGENCY

Personal		
Services	1,880,028	1,884,356
Other Operating		
Expense	462,193	356,733

PERSONAL
SERVICESFRINGE
BENEFITS
CONTINGENCY FUND

Total Operating	
Expense for	
the Biennium	61,000,000

The foregoing personal services/fringe benefits contingency fund appropriation is subject to allotment to departments, institutions, and

all state agencies by the budget agency with the approval of the governor.

DEPARTMENTAL AND
INSTITUTIONAL
EMERGENCY
CONTINGENCY FUND

Total Operating
Expense for
the Biennium 10,000,000

The foregoing departmental and institutional emergency contingency fund appropriation is subject to allotment to departments, institutions, and all state agencies by the budget agency with the approval of the governor. These allocations may be made upon written request of proper officials, showing that contingencies exist that require additional funds for meeting necessary total operating expenses. The budget committee shall be advised of each transfer request and allotment. With the approval of the governor and budget agency, the expenses of conducting an audit of a state agency for the following purposes may be paid from the departmental and institutional emergency contingency fund:

- (1) To determine whether the state agency is managing and using its resources (including personnel, property, and office space) economically and efficiently.
- (2) To determine whether there are any inefficiencies or uneconomical practices in the state agency's operations, and, if so, their causes.
- (3) To determine whether the state agency has complied with laws and rules concerning matters of economy and efficiency.

FOR THE TREASURER
OF STATE

Personal		
Services	648,579	672,228
Other Operating		
Expense	60,500	60,500

FOR THE PUBLIC
EMPLOYEES'
RETIREMENT
FUND -

ADMINISTRATION

Personal		
Services	1,802,847	1,806,583
Other Operating		
Expense	2,227,288	1,696,288

The above appropriations to the public employees' retirement fund for administrative expenses shall be paid from investment earnings in accordance with the provisions of IC 5-10.2-2-12. With the approval of the governor and the budget agency, said sums may be augmented from said earnings.

PENSION RELIEF FUND

Other Operating		
Expense	25,000,000	25,000,000

The above amount is appropriated to the "m portion" of the pension relief fund.

E. TAX

ADMINISTRATION
FOR THE DEPARTMENT
OF REVENUE -
COLLECTION
AND
ADMINISTRATION

Personal		
Services	31,885,776	31,955,853
Other Operating		
Expense	15,733,144	15,733,144

With approval of the governor and the budget agency, the department shall annually reimburse the state general fund for expenses incurred in support of the collection of dedicated fund revenue according to the department's cost allocation plan.

With the approval of the governor and the budget agency, the foregoing sums for the department of revenue may be augmented to an amount not exceeding in total, together with the above specific amounts, one and one-tenth percent (1.1%) of the amount of money collected by the department of revenue from taxes and fees.

OUTSIDE
COLLECTIONS

Total Operating		
Expense	2,577,309	2,577,309

With the approval of the governor and the budget agency, the foregoing sums for the department of revenue's outside collections may be augmented to an amount not exceeding in total, together with the above specific amounts, one and one-tenth percent (1.1%) of the amount of money collected by the department from taxes and fees.

MOTOR FUEL
TAX DIVISION

Personal		
Services	4,550,324	4,560,200
Other Operating		
Expense	1,167,286	1,167,286

Of the foregoing appropriations for the motor fuel tax division for fiscal year 1997-98, \$1,715,283 is appropriated from the motor carrier regulation fund created by IC 8-2.1-23 and \$4,002,327 is appropriated from the motor vehicle highway fund. For fiscal year 1998-99, \$1,718,246 is appropriated from the motor carrier regulation fund and \$4,009,240 is appropriated from the motor vehicle highway fund. In addition to the foregoing appropriations, there is hereby appropriated to the department of revenue motor fuel tax division an amount sufficient to pay claims for refunds on license-fee-exempt motor vehicle fuel as provided by law. The sums above appropriated from the motor vehicle highway fund for the operation of the motor fuel tax division, together with all refunds for license-fee-exempt motor vehicle fuel, shall be paid from the receipts of those license fees before they are distributed as provided by IC 6-6-1.1. With the approval of the

governor and the budget agency, said sums may be augmented from revenues accruing to the motor vehicle highway fund.

**MOTOR CARRIER
REGULATION**

Personal		
Services	367,766	368,529
Other Operating		
Expense	431,206	431,206

The above appropriations for the department of revenue motor carrier regulation are hereby appropriated from the motor carrier regulation fund created by IC 8-2.1-23. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the motor carrier regulation fund.

**FOR THE INDIANA
HORSE RACING
COMMISSION**

Personal		
Services	848,052	849,586
Other Operating		
Expense	513,400	513,400

The foregoing appropriations to the Indiana horse racing commission are made from revenues accruing to the Indiana horse racing commission before any distribution is made under IC 4-31-9. The appropriations are made pursuant to the provisions of IC 4-31 and from revenues accruing to the Indiana horse racing commission operating fund established by IC 4-31-10. With the approval of the governor and the budget agency, the above appropriations for the Indiana horse racing commission may be augmented from the lottery and gaming surplus account within the build Indiana fund with or in anticipation of revenue generated from horse racing in Indiana.

**FOR THE INDIANA
GAMING COMMISSION**

Personal		
Services	1,610,124	1,613,637
Other Operating		
Expense	1,654,200	1,654,200

INVESTIGATION

Personal		
Services	1,176,864	1,299,524
Other Operating		
Expense	1,235,537	1,235,537

The foregoing appropriations to the Indiana gaming commission are made from revenues accruing to the state gaming account of the state general fund under IC 4-33-13-3 before any distribution is made under IC 4-33-13-5. With the approval of the governor and the budget agency, the above appropriations for the Indiana gaming commission may be augmented from the lottery and gaming surplus account within the build Indiana fund.

The foregoing appropriations to the Indiana gaming commission are made in lieu of the appropriation made in IC 4-33-13-4. The commission may employ or contract for inspectors and agents required

under IC 4-33-4-3.5. The licensed owners shall, in the manner prescribed by the rules of the commission, reimburse the commission for the salaries and other expenses of the inspectors and agents who are required to be present during the time gambling operations are conducted on a riverboat.

FOR THE BOARD

OF TAX

COMMISSIONERS

Personal		
Services	4,549,655	4,559,778
Other Operating		
Expense	1,127,391	1,127,391

From the above appropriations for the board of tax commissioners, travel subsistence and mileage allowances may be paid for members of the local government tax control board created by IC 6-1.1-18.5 and the state school property tax control board created by IC 6-1.1-19, under state travel regulations.

The state board of tax commissioners shall contract for an analysis of the variations in assessment throughout Indiana. The state board of tax commissioners shall issue reports on the progress of the assessment analysis to the budget committee annually.

CONTINGENCY

FUND

Total Operating		
Expense	500,000	500,000

F. ADMINISTRATION

FOR THE DEPARTMENT

OF ADMINISTRATION -

PUBLIC WORKS

DIVISION

Personal		
Services	1,452,592	1,455,815
Other Operating		
Expense	194,692	194,692

COMMISSIONER'S OFFICE

Personal		
Services	1,746,592	1,750,329
Other Operating		
Expense	245,425	245,425

PROCUREMENT

DIVISION

Personal		
Services	1,327,425	1,330,229
Other Operating		
Expense	262,855	262,855

OPERATIONS

DIVISION

Personal		
Services	7,499,209	7,688,261
Other Operating		
Expense	7,351,742	7,859,016

PARKING		
GARAGE LEASE		
RENTAL		
Total Operating		
Expense	4,835,337	4,838,726
STATE OFFICE		
BUILDING-NORTH		
LEASE RENTAL		
Total Operating		
Expense	11,044,627	11,047,876
STATE OFFICE		
BUILDING-SOUTH		
LEASE RENTAL		
Total Operating		
Expense	14,537,105	14,507,851
DEBT SERVICE FOR		
PRISON		
CONSTRUCTION		
WABASH VALLEY		
CORRECTIONAL		
INSTITUTION		
(MAXIMUM SECURITY)		
Total Operating		
Expense	6,467,931	6,624,917
WABASH VALLEY		
CORRECTIONAL		
INSTITUTION		
(MEDIUM SECURITY)		
Total Operating		
Expense	7,469,333	7,524,492
ROCKVILLE		
CORRECTIONAL		
CENTER		
Total Operating		
Expense		4,323,770
FOR THE PERSONNEL		
DEPARTMENT		
Personal		
Services	3,379,095	3,386,504
Other Operating		
Expense	1,134,570	1,076,070
STATE EMPLOYEES'		
APPEALS		
COMMISSION		
Personal		
Services	125,350	125,611
Other Operating		
Expense	15,000	15,000
FOR THE DATA		
PROCESSING		
OVERSIGHT		

COMMISSION		
Personal		
Services	390,449	391,359
Other Operating		
Expense	232,311	232,311
FOR THE COMMISSION		
ON PUBLIC		
RECORDS		
Personal		
Services	1,341,804	1,344,680
Other Operating		
Expense	170,393	181,394
G. OTHER		
FOR THE COMMISSION		
ON UNIFORM		
STATE LAWS		
Total Operating		
Expense	41,900	43,200
FOR THE SECRETARY OF STATE-		
ELECTION DIVISION		
Personal		
Services	454,386	455,394
Other Operating		
Expense	145,988	106,816
NATIONAL VOTER		
REGISTRATION		
PROGRAM		
Personal		
Services	47,631	47,738
Other Operating		
Expense	421,329	421,329

1997-260-4

SECTION 4. PUBLIC SAFETY

	Year	Year
	1997-98	1998-99
PUBLIC SAFETY		
A. CORRECTIONS		
FOR THE DEPARTMENT		
OF CORRECTION		
ESCAPEE COUNSEL		
AND TRIAL		
EXPENSE		
Other Operating		
Expense	250,000	250,000
COMMUNITY		
CORRECTIONS		
PROGRAMS		
Total Operating		
Expense for		
the Biennium	25,216,996	

COUNTY JAIL		
MISDEMEANANT		
HOUSING		
Total Operating Expenses	2,300,000	2,300,000
STAFF DEVELOPMENT AND TRAINING		
Personal Services	734,663	736,278
Other Operating Expense	366,000	366,000
PAROLE DIVISION		
Personal Services	4,198,810	4,207,973
Other Operating Expense	678,719	700,719
CENTRAL EMERGENCY RESPONSE		
Personal Services	681,240	682,941
Other Operating Expense	487,500	487,500
CENTRAL OFFICE		
Personal Services	5,917,604	5,930,841
Other Operating Expense	1,205,700	1,222,920
INFORMATION MANAGEMENT SERVICES		
Personal Services	1,643,677	1,647,377
Other Operating Expense	2,374,510	2,074,510
JUVENILE TRANSITION		
Personal Services	689,210	690,745
Other Operating Expense	9,143,000	9,126,000
PAROLE BOARD		
Personal Services	444,128	445,150
Other Operating Expense	39,700	39,700
DRUG ABUSE PREVENTION		
Personal Services	27,191	27,248
Other Operating Expense	72,000	72,000

The above appropriations for corrections drug abuse prevention are

hereby appropriated from revenues accruing to the corrections drug abuse fund as provided in IC 11-8-2-11. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the fund.

WABASH VALLEY
CORRECTIONAL
FACILITY

Personal		
Services	30,422,532	30,489,367
Other Operating		
Expense	11,850,580	11,850,580

INDIANA STATE
PRISON

Personal		
Services	23,731,279	23,783,174
Other Operating		
Expense	7,927,030	7,926,816

VOCATIONAL
TRAINING
PROGRAM

Total Operating		
Expense	381,878	381,884

PENDLETON
CORRECTIONAL
FACILITY

Personal		
Services	23,059,824	23,109,668
Other Operating		
Expense	6,878,665	6,561,465

CORRECTIONAL
INDUSTRIAL
FACILITY

Personal		
Services	18,330,039	18,369,273
Other Operating		
Expense	4,277,952	4,022,152

INDIANA WOMEN'S
PRISON

Personal		
Services	9,357,323	9,377,786
Other Operating		
Expense	2,188,300	2,217,600

PUTNAMVILLE
CORRECTIONAL
FACILITY

Personal		
Services	23,652,665	23,704,861
Other Operating		
Expense	6,262,927	6,674,327

PLAINFIELD JUVENILE
CORRECTIONAL

FACILITY		
Personal		
Services	12,222,725	12,249,518
Other Operating		
Expense	1,925,000	2,000,704
INDIANAPOLIS		
JUVENILE		
CORRECTIONAL		
FACILITY		
Personal		
Services	7,347,045	7,363,226
Other Operating		
Expense	1,488,400	1,543,700
LOGANSPOUT		
INTAKE/DIAGNOSTIC		
Personal		
Services	2,003,729	2,008,068
Other Operating		
Expense	806,782	806,782
CAMP SUMMIT		
Personal		
Services	1,495,004	1,498,288
Other Operating		
Expense	434,701	381,001
BRANCHVILLE		
CORRECTIONAL		
FACILITY		
Personal		
Services	13,972,436	14,002,707
Other Operating		
Expense	3,638,300	3,638,300
WESTVILLE		
CORRECTIONAL		
FACILITY		
Personal		
Services	36,627,153	36,706,583
Other Operating		
Expense	10,023,833	10,023,833
WESTVILLE MAXIMUM		
CONTROL FACILITY		
Personal		
Services	4,652,235	4,662,144
Other Operating		
Expense	741,100	741,100
WESTVILLE		
TRANSITIONAL		
FACILITY		
Personal		
Services	3,042,330	3,048,933
Other Operating		
Expense	327,100	327,100

ROCKVILLE
CORRECTIONAL
FACILITY FOR
WOMEN

Personal		
Services	10,406,104	10,432,068
Other Operating		
Expense	2,810,400	2,810,400

PLAINFIELD
CORRECTIONAL
FACILITY

Personal		
Services	22,398,831	22,447,536
Other Operating		
Expense	6,768,025	6,768,025

RECEPTION AND
DIAGNOSTIC CENTER

Personal		
Services	8,829,340	8,848,357
Other Operating		
Expense	1,193,285	1,338,585

HENRYVILLE
CORRECTIONAL
FACILITY

Personal		
Services	1,356,991	1,359,892
Other Operating		
Expense	425,844	425,844

CHAIN O' LAKES
CORRECTIONAL
FACILITY

Personal		
Services	1,130,668	1,133,092
Other Operating		
Expense	509,503	451,203

MEDARYVILLE
CORRECTIONAL
FACILITY

Personal		
Services	1,203,489	1,206,092
Other Operating		
Expense	418,086	374,286

LAKESIDE
CORRECTIONAL
FACILITY

Personal		
Services	3,613,397	3,621,040
Other Operating		
Expense	944,856	841,100

ATTERBURY
CORRECTIONAL

FACILITY		
Personal		
Services	1,554,363	1,557,701
Other Operating		
Expense	425,650	425,650
MADISON		
CORRECTIONAL		
FACILITY		
Personal		
Services	2,313,584	2,318,489
Other Operating		
Expense	774,650	774,650
EDINBURGH		
CORRECTIONAL		
FACILITY		
Personal		
Services	1,909,536	1,913,609
Other Operating		
Expense	438,192	438,192
FORT WAYNE		
JUVENILE		
CORRECTIONAL		
FACILITY		
Personal		
Services	794,592	796,315
Other Operating		
Expense	372,547	372,547
SOUTH BEND		
JUVENILE		
CORRECTIONAL		
FACILITY		
Personal		
Services	1,245,085	1,247,820
Other Operating		
Expense	485,405	450,205
NORTH CENTRAL		
JUVENILE		
CORRECTIONAL		
FACILITY		
Personal		
Services	5,335,187	5,346,740
Other Operating		
Expense	1,094,000	1,094,000
TITLE XX		
Total Operating		
Expense	5,392,272	5,332,598

The foregoing appropriations for Title XX for the department of correction are hereby appropriated from revenues accruing to the state general fund in an amount not to exceed \$4,006,430 for fiscal year 1997-98 and \$3,931,448 for fiscal year 1998-99, and the balance from revenue accruing to the work release subsistence fund created by

IC 11-10-8-6.5. With the approval of the governor and the state budget agency, the sums may be augmented from revenues accruing to the work release subsistence fund.

Any of the appropriations to the department of correction may be augmented, with the approval of the governor and the budget agency, from funds accruing to the social services block grant purchase of social services contingency fund pursuant to IC 12-13-10 for the purpose of reimbursing the foregoing appropriations for expenditures made therefrom that qualify for participation in the social services block grant purchase of social services program.

FOR THE STATE

BUDGET AGENCY

COUNTY JAIL

MAINTENANCE

CONTINGENCY FUND

Other Operating

Expense	14,052,500	14,052,500
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Disbursements from the fund shall be made for the purpose of reimbursing sheriffs for the cost of incarcerating in county jails persons convicted of felonies to the extent that such persons are incarcerated for more than five (5) days after the day of sentencing at the rate of \$35 per day. In addition to the per diem, the state shall reimburse the sheriffs for any expenses incurred in providing medical care to the convicted persons. However, if the sheriff or county receives money with respect to a convicted person (from a source other than the county), the per diem or medical expense reimbursement with respect to the convicted person shall be reduced by the amount received. A sheriff shall not be required to comply with IC 35-38-3-4(a) or transport convicted persons within five (5) days after the day of sentencing, if the department of correction does not have the capacity to receive the convicted person. If this appropriation is insufficient to make the payments specified, with the approval of the governor and the budget agency, there are hereby appropriated such further sums as may be necessary.

B. LAW ENFORCEMENT

FOR THE ADJUTANT

GENERAL

Personal

Services	6,113,044	6,125,861
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Other Operating

Expense	4,311,894	4,311,894
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NAVAL FORCES

Personal

Services	108,866	109,094
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Other Operating

Expense	107,237	107,237
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DISABLED SOLDIERS'

PENSION

Other Operating

Expense	13,868	14,284
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GOVERNOR'S CIVIL

AND MILITARY
CONTINGENCY FUND

Total Operating
Expense for
the Biennium 970,000

The above appropriations for the adjutant general governor's civil
and military contingency fund are made under IC 10-2-7-1.

FOR THE CRIMINAL
JUSTICE INSTITUTE
ADMINISTRATIVE
MATCH

Total Operating
Expense 149,350 149,350

DRUG ENFORCEMENT
MATCH

Total Operating
Expense 1,759,415 1,759,415

VICTIM AND
WITNESS
ASSISTANCE FUND

Total Operating
Expense 626,000 626,000

The above appropriations for the victim and witness assistance fund
are hereby appropriated from revenues accruing to the victim and
witness fund as provided by IC 5-2-6-14. With the approval of the
governor and the budget agency, the sums may be augmented from
revenues accruing to the fund.

VIOLENT CRIME
VICTIMS
COMPENSATION
FUND

Personal
Services 212,593 213,046
Other Operating
Expense 2,286,954 2,286,954

The above appropriation is from revenues accruing to the violent
crime victims compensation fund as provided in IC 5-2-6.1-40. With
the approval of the governor and the budget agency, said sums may be
augmented from revenues accruing to the fund.

STATE DRUG FREE
COMMUNITIES
FUND

Total Operating
Expense 509,825 509,825

The above appropriations for the state drug free communities fund
are hereby appropriated from revenues accruing to the state drug free
communities fund as provided by IC 5-2-10-2. With the approval of the
governor and the budget agency, the sums may be augmented from
revenues accruing to the fund.

INDIANA SAFE
SCHOOLS FUND

Total Operating		
Expense	3,300,000	3,400,000

The foregoing appropriations for the Indiana safe schools fund established in IC 5-2-10.1-2 are hereby appropriated from revenues accruing to the state general fund in an amount not to exceed \$3,000,000 for fiscal year 1997-98 and not to exceed \$3,000,000 for fiscal year 1998-99, and the balance from revenues accruing to the Indiana safe schools fund. The above appropriations with the approval of the governor and the budget agency may be augmented from the funds accruing to the Indiana safe schools fund.

LAW ENFORCEMENT
ASSISTANCE FUND

Total Operating		
Expense	12,500,000	12,500,000

The foregoing appropriations for the law enforcement assistance fund established in IC 5-2-13 are hereby appropriated from revenues accruing to the state general fund in an amount not to exceed \$12,500,000 for fiscal year 1997-98 and not to exceed \$12,500,000 for fiscal year 1998-99. The above appropriations with the approval of the governor and the budget agency may be augmented from funds accruing to the law enforcement assistance fund.

OFFICE OF TRAFFIC
SAFETY

Personal		
Services	1,086,345	1,087,189
Other Operating		
Expense	5,182,030	5,182,030

The above appropriations to the office of traffic safety are from the motor vehicle highway fund. With the approval of the governor and the budget agency, these appropriations may be augmented from revenues accruing to the fund.

ALCOHOL AND DRUG
COUNTERMEASURES

Total Operating		
Expense	527,100	527,100

The above appropriations for alcohol and drug countermeasures are appropriated from revenues accruing to the alcohol and drug countermeasures fund as provided in IC 9-27-2-11. With approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the fund.

HIGHWAY SAFETY
PLAN

Total Operating		
Expense	1,925,000	1,925,000

The above appropriations for the highway safety plan are from the motor vehicle highway fund, and may be used only to fund traffic safety projects that are included in a current highway safety plan approved by the governor and the budget agency. The department shall apply to the national highway traffic safety administration for reimbursement of all eligible project costs. Any federal reimbursement received by the department for the highway safety plan shall be

deposited into the motor vehicle highway fund.

CORONERS TRAINING

BOARD

Personal		
Services	260,000	260,000
Other Operating		
Expense	76,785	70,292

The foregoing appropriations to the coroners training board are appropriated from revenues accruing to the coroners training and continuing education fund as provided in IC 4-23-6.5-8. With the approval of the governor and the budget agency, such sums may be augmented from revenues accruing to the fund.

FOR THE LAW ENFORCEMENT

TRAINING

BOARD

Personal		
Services	2,134,792	2,139,298
Other Operating		
Expense	1,163,045	1,162,545

The above appropriations for the law enforcement training board are from the law enforcement training fund created by IC 5-2-1-13. With the approval of the governor and the budget agency, said sums may be augmented from the fund.

FOR THE INDIANA STATE

POLICE

AND MOTOR

CARRIER

INSPECTION

Personal		
Services	82,385,669	82,701,177
Other Operating		
Expense	22,921,299	22,074,299

The above appropriations for personal services and other operating expense include funds to continue the state police minority recruiting program. In addition to any funds that may be expended for accident reporting from the "accident report account" under IC 9-29-11-1, there are included in the appropriations for Indiana state police and motor carrier inspection such additional funds as necessary for administering accident reporting as required under IC 9-26-3.

Of the funds above appropriated for the Indiana state police for fiscal year 1997-98, \$50,341,774 is appropriated from the motor vehicle highway fund, \$50,341,773 is appropriated from the state general fund, and \$4,623,421 is appropriated from the motor carrier regulation fund.

Of the funds appropriated for fiscal year 1998-99, \$50,076,028 is appropriated from the motor vehicle highway fund, \$50,076,027 is appropriated from the state general fund and \$4,623,421 is appropriated from the motor carrier regulation fund.

The foregoing appropriations for the Indiana state police and motor carrier inspection include funds for the police security detail to be provided to the Indiana state fair board. However, any amount

expended to provide security for the Indiana state fair board may be reimbursed by the Indiana state fair board to such fund from which the expenditure was made, in accordance with reimbursement schedules recommended by the budget committee.

With the approval of the governor and the budget agency, said sums may be augmented accordingly from the state general fund, the motor vehicle highway fund, and the motor carrier regulation fund.

DRUG

INTERDICTION

Total Operating

Expense	230,000	230,000
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The above appropriations for drug interdiction are hereby appropriated from revenues accruing to the drug interdiction fund as provided in IC 10-1-8-2. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to said fund.

PENSION FUND

Pension Fund

Contribution	9,195,733	9,609,542
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The above appropriations shall be paid into the state police pension fund provided for in IC 10-1-2 in twelve (12) equal installments on or before July 30, and on or before the 30th of each succeeding month thereafter.

The foregoing appropriations for the state police pension fund are hereby appropriated from revenues accruing to the state general fund in an amount not to exceed \$4,597,866 for fiscal year 1997-98, and not to exceed \$4,804,771 for fiscal year 1998-99, and the balance from revenues accruing to the motor vehicle highway fund.

SUPPLEMENTAL

PENSION

Total Operating

Expense	2,800,000	2,800,000
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The foregoing appropriations for the state police supplemental pension provided for in IC 10-1-2.6 are hereby appropriated from revenues accruing to the state general fund an amount not to exceed \$1,400,000 for fiscal year 1997-98, and not to exceed \$1,400,000 for fiscal year 1998-99, and the balance from revenues accruing to the motor vehicle highway fund.

If the above appropriations for supplemental pension for any one (1) year are greater than the amount actually required under the provisions of IC 10-1-2.6, then the excess shall be returned proportionately to the funds from which the appropriations were made. If the amount actually required under IC 10-1-2.6 is greater than the above appropriations, then, with the approval of the governor and the budget agency, said sums may be augmented.

BENEFIT FUND

Total Operating

Expense	2,037,019	2,160,721
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All benefits that accrue to members shall be paid by warrant drawn on the treasurer of state by the auditor of state on the basis of claims filed and approved by the trustees of the state police pension and

benefit funds created by IC 10-1-2.

The foregoing appropriations for the state police benefit fund are hereby appropriated from revenues accruing to the state general fund in an amount not to exceed \$1,018,509 for fiscal year 1997-98, and not to exceed \$1,080,360 for fiscal year 1998-99, and the balance from revenues accruing to the motor vehicle highway fund. With the approval of the governor and the budget agency, said sums may be augmented from the state general fund and the motor vehicle highway fund.

ENFORCEMENT

AID FUND

Total Operating

Expense	175,000	175,000
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The above appropriations to the enforcement aid fund are to meet unforeseen emergencies of a confidential character. They are to be expended under the direction of the superintendent and to be accounted for solely on the superintendent's certificate.

The foregoing appropriations for the enforcement aid fund are appropriated from revenues accruing to the state general fund in an amount not to exceed \$87,500 for fiscal year 1997-98, and not to exceed \$87,500 for fiscal year 1998-99, and the balance from revenues accruing to the motor vehicle highway fund.

C. REGULATORY AND LICENSING

FOR THE ALCOHOLIC

BEVERAGE

COMMISSION

Personal

Services	3,260,491	3,266,890
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Other Operating

Expense	1,591,012	1,191,012
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Of the above appropriations for the alcoholic beverage commission, for each of fiscal year 1997-98 and fiscal year 1998-99, \$3,376,000 is appropriated from revenues accruing to the enforcement and administration fund created by IC 7.1-4-10-1. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the enforcement and administration fund. Of the balance of the above appropriations, for fiscal year 1997-98, \$1,475,503, and, for fiscal year 1998-99, \$1,081,902, are appropriated from the state general fund.

FOR THE STATE

BOARD OF ANIMAL

HEALTH

Personal

Services	2,654,645	2,660,350
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Other Operating

Expense	1,254,754	1,254,754
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INDEMNITY FUND

Total Operating

Expense for the Biennium	185,000	
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MEAT & POULTRY

INSPECTION		
Total Operating		
Expense	1,784,004	1,787,098
FOR THE CIVIL		
RIGHTS COMMISSION		
Personal		
Services	2,001,787	2,006,084
Other Operating		
Expense	391,815	391,815
It is the intention of the general assembly that the civil rights		
commission shall make application to the federal government for		
funding related to the federal fair housing program, the federal fair		
housing initiatives program, and the federal employment discrimination		
program. Federal funds received by the state for these programs shall		
be considered as a reimbursement of state expenditures and as such		
shall be deposited into the state general fund.		
FOR THE		
WOMEN'S COMMISSION		
Total Operating		
Expense	100,000	100,000
FOR THE EMERGENCY		
MANAGEMENT		
AGENCY		
Personal		
Services	1,488,309	1,491,338
Other Operating		
Expense	626,257	626,257
EMERGENCY		
MANAGEMENT		
AGENCY		
CONTINGENCY		
FUND		
Total Operating		
Expense	250,000	250,000
EARTHQUAKE		
PROGRAM MATCH		
Total Operating		
Expense	23,138	23,174
URBAN SEARCH		
AND RESCUE		
Total Operating		
Expense	1	1

The funds appropriated to the emergency management agency for urban search and rescue are from the fire and building services fund established in IC 22-12-6-1. The above appropriations with the approval of the governor and the budget agency may be augmented from funds accruing to the fire and building services fund.

DISASTER
PREPAREDNESS
IMPROVEMENT
GRANT MATCH

Total Operating Expense	50,000	50,000
DIRECTION CONTROL AND WARNING		
Total Operating Expense	31,750	31,750
INDIVIDUAL AND FAMILY ASSISTANCE		
Total Operating Expense	1	1
PUBLIC ASSISTANCE		
Total Operating Expense	1	1

The above appropriations for individual and family assistance and public assistance may be augmented with the approval of the governor and the budget agency from revenue accruing to the state general fund.

The above appropriations for the emergency management agency represent the total program cost for civil defense and for emergency medical services for each fiscal year. It is the intent of the general assembly that the emergency management agency apply to the Federal Emergency Management Agency for all federal reimbursement funds for which Indiana is eligible. All funds received shall be deposited into the state general fund.

The above appropriations for the emergency management agency contingency fund are made to the contingency fund pursuant to IC 10-4-1-22. The above appropriations shall be in addition to any unexpended balances in the fund as of June 30, 1997.

FOR THE DEPARTMENT OF FIRE AND BUILDING SERVICES

Personal Services	6,709,227	6,723,770
Other Operating Expense	1,791,025	1,791,025

The funds appropriated to the department of fire and building services are from the fire and building services fund established in IC 22-12-6-1. The above appropriations, with the approval of the governor and the budget agency, may be augmented from funds accruing to the fire and building services fund.

FOR THE PUBLIC SAFETY TRAINING INSTITUTE

Personal Services	654,693	656,015
Other Operating Expense	751,824	751,824

The foregoing appropriations to the public safety training institute are from the fire and building services fund established in IC 22-12-6-1. With the approval of the governor and the budget

agency, said sums may be augmented from funds accruing to the fire and building services fund.

FOR THE DEPARTMENT
OF FINANCIAL
INSTITUTIONS

Personal		
Services	4,287,630	4,296,900
Other Operating		
Expense	1,465,806	1,444,306

The foregoing appropriations to the department of financial institutions are appropriated from revenues accruing to the financial institutions fund established in IC 28-11-2-9. With the approval of the governor and the budget agency, such sums may be augmented from revenues accruing to the fund.

FOR THE HEALTH
PROFESSIONS
SERVICE BUREAU

Personal		
Services	1,515,320	1,516,573
Other Operating		
Expense	1,266,036	885,536

IMPAIRED NURSES
PROGRAM

Total Operating		
Expense	112,000	112,000

The above funds appropriated to the impaired nurses program are appropriated from the impaired nurses account created by IC 25-23-1-34. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the account.

FOR THE WORKER'S
COMPENSATION
BOARD

Personal		
Services	1,522,495	1,525,788
Other Operating		
Expense	268,723	268,723

FOR THE INSURANCE
DEPARTMENT

Personal		
Services	2,536,542	2,620,258
Other Operating		
Expense	563,159	583,659

Of the funds appropriated for fiscal year 1997-98, \$2,382,579 is appropriated from the state general fund and the balance from the department of insurance fund established in IC 27-1-3-28. Of the funds appropriated for fiscal year 1998-99, \$2,482,578 is appropriated from the state general fund and the balance from the department of insurance fund established in IC 27-1-3-28.

The above appropriations, with the approval of the governor and the budget agency may be augmented from funds accruing to the

department of insurance fund.

EXAMINATIONS

Personal		
Services	1,328,466	1,331,420
Other Operating		
Expense	137,900	137,900

Of the funds appropriated for 1997-98, \$861,144 is appropriated from the state general fund and the balance from the department of insurance fund established in IC 27-1-3-28. Of the funds appropriated for 1998-99, \$861,144 is appropriated from the state general fund and the balance from the department of insurance fund established in IC 27-1-3-28.

The above appropriations, with the approval of the governor and the budget agency, may be augmented from funds accruing to the department of insurance fund.

If the revenues accruing to the state general fund for the examinations account exceed the amount appropriated above, with the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the account.

BAIL BOND

DIVISION

Personal		
Services	314,049	314,174
Other Operating		
Expense	15,515	15,515

The foregoing appropriations to the insurance department bail bond division are appropriated from revenues accruing to the bail bond enforcement and administration fund established by IC 27-10-5-1. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the fund.

PATIENT'S

COMPENSATION

AUTHORITY

Personal		
Services	554,193	514,879
Other Operating		
Expense	433,575	613,575

The foregoing appropriations to the insurance department patient's compensation authority are appropriated from revenues accruing to the patient's compensation fund as provided in IC 27-12-6-1. With the approval of the governor and the budget agency, such sums may be augmented from revenues accruing to the fund.

POLITICAL

SUBDIVISION

RISK

MANAGEMENT

Personal		
Services	260,521	260,697
Other Operating		
Expense	5,628,535	5,628,535

The foregoing appropriations to the insurance department political

subdivision risk management are appropriated from revenues accruing to the political subdivision risk management fund as provided in IC 27-1-29-10. With the approval of the governor and the budget agency, such sums may be augmented from revenues accruing to the fund.

MINE SUBSIDENCE

INSURANCE

Personal		
Services	155,276	155,467
Other Operating		
Expense	406,350	406,350

The foregoing appropriations to the insurance department mine subsidence insurance are appropriated from revenues accruing to the mine subsidence insurance fund as provided in IC 27-7-9-7.

With the approval of the governor and the budget agency, the foregoing appropriations to mine subsidence insurance may be augmented from revenues accruing to the fund.

FOR THE

PROFESSIONAL

LICENSING

AGENCY

Personal		
Services	1,550,351	1,553,468
Other Operating		
Expense	1,548,734	1,548,734

EMBALMERS AND

FUNERAL

DIRECTORS

EDUCATION FUND

Total Operating		
Expense	9,200	9,200

The above funds appropriated to the embalmers and funeral directors education fund are to be paid from the funeral service education fund as provided in IC 25-15-9-13. With the approval of the governor and the budget agency, such sums may be augmented from revenues accruing to the fund.

FOR THE BUREAU

OF MOTOR VEHICLES

Personal		
Services	15,809,079	15,841,369
Other Operating		
Expense	12,800,617	12,800,617

LICENSE PLATES

Total Operating		
Expense	17,745,450	4,952,250

ABANDONED

VEHICLES

Total Operating		
Expense	28,975	28,975

The sums above appropriated for the operation of the bureau of motor vehicles and for license plates are appropriated from revenues

accruing to the motor vehicle highway fund.

The sums above appropriated for abandoned vehicles are appropriated from the abandoned vehicle fund under IC 9-22-1-28. With the approval of the governor and the budget agency, said sums may be augmented from the motor vehicle highway fund and the abandoned vehicle fund, respectively.

FINANCIAL
RESPONSIBILITY
COMPLIANCE
VERIFICATION
FUND

Total Operating		
Expense	1,323,803	1,310,568

The above appropriations for the financial responsibility compliance verification fund are appropriated from revenues accruing to the financial responsibility compliance verification fund pursuant to IC 9-25-9-7. With the approval of the governor and the budget agency, said sums may be augmented from the financial responsibility compliance verification fund.

FOR THE UTILITY
REGULATORY
COMMISSION
NOMINATING
COMMITTEE

Total Operating		
Expense	5,000	5,000

Notwithstanding the provisions of IC 8-1-1.5-9(c), the above appropriations are hereby made for the purpose of defraying any and all expenses that may be incurred by the nominating committee.

FOR THE UTILITY
REGULATORY
COMMISSION

Personal		
Services	3,877,292	3,885,822
Other Operating		
Expense	1,889,025	1,889,025

FOR THE UTILITY
CONSUMER
COUNSELOR

Personal		
Services	3,055,096	3,062,010
Other Operating		
Expense	677,440	677,440

EXPERT WITNESS
FEES AND AUDIT

Total Operating		
Expense for		
the Biennium	1,550,000	

The foregoing appropriations to the utility regulatory commission, utility consumer counselor, and expert witness fees and audits, are appropriated from revenues accruing to the utility regulatory fund as

provided in IC 8-1-6. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the public utility fund; however, unused funds do not revert to the utility regulatory fund unless approved by the budget agency after consultation with the budget committee.

FOR THE DEPARTMENT
OF LABOR

Personal		
Services	968,105	970,158
Other Operating		
Expense	227,775	227,486

BUREAU OF MINES
AND MINING

Personal		
Services	102,468	102,664
Other Operating		
Expense	92,920	92,771

BUREAU OF
SAFETY EDUCATION
AND TRAINING

Personal		
Services	801,976	803,748
Other Operating		
Expense	292,000	299,000

The above funds appropriated to the bureau of safety education and training are to be paid from a special fund for safety and health consultation services created in IC 22-8-1.1-48. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the fund.

OCCUPATIONAL
SAFETY AND
HEALTH

Personal		
Services	2,113,359	2,117,885
Other Operating		
Expense	438,993	443,993

INDUSTRIAL HYGIENE

Personal		
Services	1,163,503	1,166,090
Other Operating		
Expense	241,400	241,400

RESEARCH AND
STATISTICS

Personal		
Services	198,828	199,184
Other Operating		
Expense	58,100	58,100

The above funds are appropriated to the bureau of safety education and training, occupational safety and health, and industrial hygiene in order to provide the total program cost of the Indiana occupational safety and health plan as approved by the United States Department of

Labor, pursuant to the Williams-Steiger Occupational Safety and Health Act of 1970, as amended, and to research and statistics as provided by the United States Department of Labor, Bureau of Labor Statistics. Inasmuch as the state is eligible to receive from the federal government fifty percent (50%) of the state's total Indiana occupational safety and health program cost, and research and statistics cost, it is the intention of the general assembly that the department of labor make application to the federal government for the federal share of the total program cost.

Any federal funds received by the state for the Indiana occupational safety and health program shall be considered as a reimbursement of state expenditures. Therefore, federal funds received for costs attributable to the bureau of safety education and training appropriations shall be deposited into a special fund for safety and health consultation services, as established in IC 22-8-1.1-48, and federal funds received for costs attributable to occupational safety and health appropriations, industrial hygiene appropriations, or the research and statistics appropriations shall be deposited into the state general fund.

EMPLOYMENT OF YOUTH

Total Operating		
Expense	35,600	35,600

The above funds appropriated to the employment of youth program are to be paid from a special fund for employment of youth created in IC 20-8.1-4-31. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the fund.

1997-260-5

SECTION 5. CONSERVATION AND ENVIRONMENT

	Year	Year
	1997-98	1998-99
CONSERVATION AND		
ENVIRONMENT		

A. NATURAL RESOURCES FOR THE DEPARTMENT OF NATURAL RESOURCES -

ADMINISTRATION

Personal		
Services	2,879,149	2,885,484
Other Operating		
Expense	1,592,016	1,577,472

From the above appropriation, \$75,000 in each state fiscal year shall be used for the Grissom Museum.

DEPARTMENT OF NATURAL RESOURCES FINANCIAL MANAGEMENT

Personal		
Services	113,370	113,620

Other Operating Expense	140,000	140,000
ENTOMOLOGY AND PLANT PATHOLOGY DIVISION		
Personal Services	566,555	567,857
Other Operating Expense	148,733	130,233
ENTOMOLOGY AND PLANT PATHOLOGY FUND		
Total Operating Expense for the Biennium	20,000	

The foregoing appropriation for the entomology and plant pathology fund is hereby appropriated from revenues accruing to the entomology and plant pathology fund created by IC 14-24-10-3. With the approval of the governor and the budget agency, said appropriation may be augmented from revenue accruing to the entomology and plant pathology fund.

ENGINEERING DIVISION		
Personal Services	1,079,939	1,082,385
Other Operating Expense	136,615	136,615
STATE MUSEUM		
Personal Services	1,498,815	1,502,045
Other Operating Expense	528,009	528,009
STATE HISTORIC SITES		
Personal Services	1,656,073	1,659,719
Other Operating Expense	497,067	497,067
HISTORIC PRESERVATION DIVISION		
Personal Services	541,178	542,360
Other Operating Expense	60,200	60,200
OUTDOOR RECREATION DIVISION		
Personal Services	622,988	624,383

Other Operating		
Expense	159,812	159,812
SNOWMOBILE/OFFROAD		
VEHICLE LICENSING		
FUND		

Total Operating		
Expense	107,187	107,187

The foregoing appropriations for the snowmobile/offroad vehicle licensing fund are hereby appropriated from revenues accruing to the snowmobile/offroad licensing fund under the provisions of IC 14-16-2-8. With the approval of the governor and the budget agency, said appropriations may be augmented from revenue accruing to the snowmobile/offroad vehicle licensing fund.

NATURE PRESERVES
DIVISION

Personal		
Services	517,009	518,169
Other Operating		
Expense	82,196	70,696

WATER DIVISION

Personal		
Services	4,143,048	4,152,179
Other Operating		
Expense	1,702,545	1,725,945

All revenues accruing from state and local units of government and from private utilities and industrial concerns as the result of water resources study projects, and as a result of topographic and other mapping projects, shall be deposited into the state general fund, and such receipts are hereby appropriated, in addition to the foregoing amounts, for water resources studies.

GREAT LAKES
COMMISSION

Other Operating		
Expense	46,000	46,000

SOIL CONSERVATION

DIVISION -

T by 2000

Personal		
Services	2,559,109	2,564,741
Other Operating		
Expense	2,540,380	2,537,487

Of the foregoing appropriations for the soil conservation division, \$460,000 is appropriated from the revenues accruing to the state general fund during each state fiscal year and the remainder is appropriated from revenues accruing to the department of natural resources cigarette tax fund created by IC 6-7-1-28.1. With the approval of the governor and the budget agency, such sums may be augmented from the cigarette tax fund.

LAKE AND RIVER
ENHANCEMENT

Total Operating

Expense for
the Biennium 1,660,000

The lake and river enhancement fund consists of revenues accruing to the department of natural resources under the provisions of IC 6-6-11-12.5. The foregoing appropriation for lake and river enhancement is hereby appropriated from revenues accruing to the lake and river enhancement fund. With the approval of the governor and the budget agency, this appropriation may be augmented from the lake and river enhancement fund.

OIL AND GAS
DIVISION

Personal		
Services	1,017,432	1,019,663
Other Operating		
Expense	385,347	385,347

The foregoing appropriations for the oil and gas division of the department of natural resources are hereby appropriated from revenues accruing to the oil and gas environmental fund created by IC 14-37-10-2 in an amount not to exceed \$200,000 for fiscal year 1997-98 and \$200,000 for fiscal year 1998-99, from revenues accruing to the state general fund in an amount not to exceed \$300,000 for fiscal year 1997-98 and \$300,000 for fiscal year 1998-99, and the balance from revenues accruing to the oil and gas fund created by IC 6-8-1-27. With the approval of the governor and the budget agency, such sums may be augmented from revenue accruing to the oil and gas fund.

STATE PARKS
DIVISION

Personal		
Services	12,177,663	12,205,160
Other Operating		
Expense	4,339,380	4,339,380

The foregoing appropriations for operating and maintaining the state parks are hereby appropriated from revenues accruing to the state general fund in an amount not to exceed \$6,772,300 for fiscal year 1997-98 and \$7,846,540 for fiscal year 1998-99, and the balance from a fund known as the state parks fund, which shall be credited with all receipts resulting from the operating of the state parks. With the approval of the governor and the budget agency, the sums may be augmented from revenues accruing to the division. The department of natural resources may adopt rules establishing admission fees or service charges, or both, for all state parks and other suitable places for recreation, in accordance with IC 14-19-1-2.

LAW ENFORCEMENT
DIVISION

Personal		
Services	13,005,431	13,032,863
Other Operating		
Expense	3,257,009	3,257,009

The foregoing appropriations to the law enforcement division of the department of natural resources are from revenues accruing to the state general fund in an amount not to exceed \$8,809,274 for fiscal year

1997-98 and an amount not to exceed \$8,809,274 for fiscal year 1998-99, and the balance from revenue accruing to the fish and wildlife fund established by IC 14-22-3-2. With the approval of the governor and the budget agency, these appropriations may be augmented from revenues accruing to the division.

DEER RESEARCH AND
MANAGEMENT

Personal		
Services	1,350	1,350
Other Operating		
Expense	118,650	118,650

The foregoing appropriations for deer research and management are hereby appropriated from revenues accruing to the deer research and management fund created by IC 14-22-5-2. With the approval of the governor and the budget agency, these appropriations may be augmented from revenues accruing to that fund.

FISH AND WILDLIFE
DIVISION

Personal		
Services	9,577,992	9,598,447
Other Operating		
Expense	4,095,054	4,095,054

The foregoing appropriations to the fish and wildlife division of the department of natural resources are hereby appropriated from revenues accruing to the fish and wildlife fund established by IC 14-22-3-2. With the approval of the governor and the budget agency, these appropriations may be augmented from revenues accruing to the division.

FORESTRY DIVISION

Personal		
Services	6,565,220	6,619,088
Other Operating		
Expense	1,447,758	1,447,758

The foregoing appropriations to the forestry division of the department of natural resources are from revenues accruing to the state general fund in an amount not to exceed \$1,232,844 for fiscal year 1997-98 and an amount not to exceed \$1,240,924 for fiscal year 1998-99, and the balance from revenue accruing to the division of forestry created by IC 14-23-1. With the approval of the governor and the budget agency, the sums may be augmented from revenues accruing to the division. All money expended by the division of forestry of the department of natural resources for the detention and suppression of forest, grassland, and wasteland fires, shall be through the enforcement division of the department, and the employment with such money of all personnel, with the exception of emergency labor, shall be in accordance with IC 14-9-8.

RESERVOIR
MANAGEMENT
DIVISION

Personal		
Services	5,943,288	5,956,666

Other Operating		
Expense	1,886,633	1,886,633

The foregoing appropriations to the department of natural resources reservoir management division are from revenues accruing to the state general fund in an amount not to exceed \$3,658,151 for fiscal year 1997-98 and an amount not to exceed \$3,657,011 for fiscal year 1998-99, and the balance from revenues accruing to the reservoir management division. With the approval of the governor and the budget agency, the above sums may be augmented from revenues accruing to the reservoir management division.

RECLAMATION DIVISION

Total Operating		
Expense	4,911,678	4,920,681

For state fiscal year 1997-98, \$1,003,087, and, for state fiscal year 1998-99, \$1,006,238, of the foregoing appropriations to the reclamation division of the department of natural resources are from the state general fund. The balance of the foregoing appropriations are from revenue accruing to the post-1977 abandoned mine reclamation fund as provided in IC 14-34-6-15 and the natural resources reclamation division fund as provided in IC 14-34-14-2.

In addition to any of the foregoing appropriations for the department of natural resources, any federal funds received by the state of Indiana for support of approved outdoor recreation projects for planning, acquisition, and development under the provisions of the federal Land and Water Conservation Fund Act, P.L.88-578, are appropriated for the uses and purposes for which said funds were paid to the state, and shall be distributed by the department of natural resources to state agencies and other governmental units in accordance with the provisions under which the funds were received.

LEGISLATORS' TREES

Total Operating		
Expense for		
the Biennium	900	

FOR THE WHITE RIVER PARK COMMISSION

Total Operating		
Expense	1,476,887	1,257,472

FOR THE WORLD WAR MEMORIAL COMMISSION

Personal		
Services	719,538	721,060
Other Operating		
Expense	307,346	257,346

All revenues received as rent for space in the buildings located at 777 North Meridian Street and 700 North Pennsylvania Street, in the city of Indianapolis, which are in excess of the costs of operation and maintenance of the space rented, shall be paid into the state general fund. The American Legion shall provide for the complete maintenance

of the interior of these buildings.

FOR THE
ST. JOSEPH
RIVER BASIN
COMMISSION

Total Operating Expense	74,000	74,000
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B. DEPARTMENT OF
ENVIRONMENTAL
MANAGEMENT

The purpose of the department of environmental management appropriations set forth below is the protection of the health and safety of the individual citizens of Indiana and of Indiana's natural environment.

FOR THE DEPARTMENT
OF ENVIRONMENTAL
MANAGEMENT
ADMINISTRATION

Personal Services	3,348,904	3,356,230
Other Operating Expense	1,432,702	1,432,702

OFFICE OF PUBLIC
POLICY AND
PLANNING

Personal Services	115,268	115,534
Other Operating Expense	79,722	79,722

OHIO RIVER VALLEY
WATER SANITATION
COMMISSION

Other Operating Expense	209,200	215,500
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Of the above appropriations for the Ohio River Valley Water sanitation commission, for each of fiscal year 1997-98 and fiscal year 1998-99, \$143,844 are appropriated from the state general fund. The balance of the above appropriations is appropriated from revenues accruing to the environmental management special fund created by IC 13-14-12-1. With the approval of the governor and the budget agency, the appropriations may be augmented from revenues accruing to the environmental management special fund.

OFFICE OF
ENVIRONMENTAL
RESPONSE

Personal Services	3,111,386	3,118,259
Other Operating Expense	644,560	644,560

POLLUTION
PREVENTION AND

TECHNICAL
ASSISTANCE

Personal		
Services	868,633	870,606
Other Operating		
Expense	532,504	532,504

MIDWEST LOW LEVEL
RADIOACTIVE WASTE
COMMISSION

Other Operating		
Expense	10,000	10,000

U.S. GEOLOGICAL
SURVEY CONTRACTS

Other Operating		
Expense	62,890	62,890

STATE SOLID WASTE
GRANTS MANAGEMENT

Personal		
Services	226,846	227,321
Other Operating		
Expense	1,886,334	1,886,334

The above appropriations for the state solid waste grants management are appropriated from revenues accruing to the state solid waste management fund established by IC 13-20-22-2. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the state solid waste management fund.

WASTE TIRE
MANAGEMENT

Total Operating		
Expense	200,000	200,000

The above appropriations for waste tire management are appropriated from revenues accruing to the waste tire management fund established by IC 13-20-13-8. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the waste tire management fund.

VOLUNTARY CLEAN-UP
PROGRAM

Personal		
Services	136,517	136,825
Other Operating		
Expense	47,575	47,575

The above appropriations for the voluntary clean-up program are appropriated from revenues accruing to the voluntary remediation fund established by IC 13-25-5-21. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the voluntary remediation fund.

TITLE V AIR
PERMIT PROGRAM

Personal		
Services	6,041,311	6,054,500

Other Operating		
Expense	4,163,457	4,163,457

The above appropriations for the Title V air permit program are appropriated from revenues accruing to the Title V operating permit program trust fund established by IC 13-17-8-1. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the Title V operating permit program trust fund.

WATER MANAGEMENT PERMITTING

Personal		
Services	4,626,344	4,635,562
Other Operating		
Expense	2,335,366	2,335,366

SOLID WASTE MANAGEMENT PERMITTING

Personal		
Services	3,858,883	3,867,213
Other Operating		
Expense	1,489,742	1,489,742

HAZARDOUS WASTE MANAGEMENT PERMITTING

Personal		
Services	3,278,803	3,281,990
Other Operating		
Expense	671,562	672,215

Of the above appropriations for water management permitting, solid waste management permitting, and hazardous waste management permitting, for each of fiscal year 1997-98 and fiscal year 1998-99, \$2,341,990 is appropriated from the state general fund for water management permitting, \$2,206,441 is appropriated for solid waste permitting, and \$2,061,624 is appropriated for hazardous waste permitting. The balance of the above appropriations is appropriated from revenues accruing to the environmental management permit operation fund established by IC 13-15-11-1. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the environmental management permit operation fund.

VOLUNTARY COMPLIANCE

Personal		
Services	257,385	257,961
Other Operating		
Expense	88,073	88,073

The above appropriations for voluntary compliance are appropriated from revenues accruing to the voluntary compliance fund created by IC 13-28-2-1. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the voluntary compliance fund.

ENVIRONMENTAL MANAGEMENT SPECIAL FUND - OPERATING

Total Operating

Expense	1,100,000	1,100,000
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The above appropriations for environmental management special fund - operating are appropriated from revenues accruing to the environmental management special fund created by IC 13-14-12-1. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the environmental management special fund.

OFFICE OF
ENVIRONMENTAL
RESPONSE AIR 112R

Total Operating		
Expense	6,282	6,282

The above appropriations for the office of environmental response air 112R are appropriated from revenues accruing to the environmental management special fund established by IC 13-14-12-1. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the environmental management special fund.

WATERSHED
MANAGEMENT

Total Operating		
Expense	33,708	33,708

The above appropriations for watershed management are appropriated from revenues accruing to the environmental management special fund established by IC 13-14-12-1. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the environmental management special fund.

CLEAN VESSEL
PUMPOUT

Total Operating		
Expense	66,667	66,667

The above appropriations for clean vessel pumpout are appropriated from revenues accruing to the environmental management special fund established by IC 13-14-12-1. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the environmental management special fund.

GROUNDWATER PROGRAM

Total Operating		
Expense	21,254	21,264

UNDERGROUND STORAGE
TANK PROGRAM

Total Operating		
Expense	22,740	22,771

The above appropriations for the underground storage tank program are appropriated from revenues accruing to the underground petroleum storage tank trust fund created by IC 13-23-6-1. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the underground petroleum storage tank trust fund.

AIR MANAGEMENT
OPERATING

Personal		
Services	1,797,319	1,802,022
Other Operating		
Expense	1,531,050	1,535,056

Of the foregoing appropriations for air management operating \$1,425,674 is appropriated from the state general fund for each of fiscal year 1997-98 and fiscal year 1998-99, and the balance is appropriated from revenues accruing to the environmental management special fund created by IC 13-14-12-1. With approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the environmental management special fund.

LEAD-BASED PAINT ACTIVITIES PROGRAM

Personal		
Services	259,314	259,314
Other Operating		
Expense	119,143	98,143

The foregoing appropriations for the lead paint abatement program are appropriated from revenues accruing to the lead trust fund created by IC 13-17-14-6. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the lead trust fund.

WATER MANAGEMENT NON-PERMITTING

Personal		
Services	2,288,219	2,294,446
Other Operating		
Expense	493,988	495,354

GREAT LAKES INITIATIVE

Total Operating		
Expense	95,000	95,000

The above appropriations for the Great Lakes initiative are appropriated from revenues accruing to the environmental management special fund created by IC 13-14-12-1. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the environmental management special fund.

COASTAL MANAGEMENT

Total Operating		
Expense	22,636	22,636

OPERATOR TRAINING

Total Operating		
Expense	42,009	42,009

SAFE DRINKING WATER

Personal		
Services	463,373	466,211
Other Operating		
Expense	180,201	181,304

Of the foregoing appropriations, \$600,000 is appropriated from the state general fund for each of fiscal year 1997-98 and fiscal year

1998-99, and the balance is appropriated from revenues accruing to the environmental management special fund created by IC 13-14-12-1. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the environmental management special fund.

LEAKING UNDERGROUND
STORAGE TANKS

Personal		
Services	79,624	79,752
Other Operating		
Expense	32,523	32,575

The above appropriations for leaking underground storage tanks are appropriated from revenues accruing to the underground petroleum storage tank trust fund established by IC 13-23-6-1. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the underground petroleum storage tank trust fund.

CORE SUPERFUND

Total Operating		
Expense	55,352	55,399

The above appropriations for the core superfund are appropriated from revenues accruing to the hazardous substances response trust fund established by IC 13-25-4-1. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the hazardous substances response trust fund.

STATE REVOLVING
LOAN FUND -
OPERATING

Total Operating		
Expense	200,000	200,000

OFFICE OF LEGAL
AFFAIRS AND
ENFORCEMENT

Personal		
Services	3,703,726	3,703,726
Other Operating		
Expense	464,577	464,577

Of the above appropriations for legal affairs and enforcement, for fiscal year 1997-98 and fiscal year 1998-99, \$386,113 is appropriated from revenues accruing to the Title V operating permit program trust fund created by IC 13-17-8-1, \$215,400 is appropriated from revenues accruing to the environmental management permit operating fund created by IC 13-15-11-1, \$420,336 is appropriated from revenues accruing to the environmental management special fund created by IC 13-14-12-1, \$122,163 is appropriated from revenues accruing to the underground petroleum storage tank trust fund created by IC 13-23-6-1, \$122,163 is appropriated from revenues accruing to the hazardous substances response trust fund created by IC 13-25-4-1, \$122,163 is appropriated from revenues accruing to the underground petroleum storage tank excess liability fund created by IC 13-23-7-1, and \$24,433 is appropriated from revenues accruing to the asbestos trust fund

created by IC 13-17-6-3. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the above funds. Of the balance of the appropriations, \$2,755,532 is appropriated from the state general fund for each of fiscal year 1997-98 and fiscal year 1998-99.

**AUTO EMISSIONS
TESTING PROGRAM**

Total Operating		
Expense	2,888,084	6,738,084

The above appropriation includes \$1,700,000 in one-time capital funding for the following:

(1) One (1) additional emissions testing station in a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000) in which certain motor vehicles registered in the county are required to undergo a periodic test of emission characteristics. The additional inspection station shall be located in the city with the largest population in the county.

(2) One (1) additional emissions testing station in a county having a population of more than one hundred twenty-five thousand (125,000) but less than one hundred twenty-nine thousand (129,000) in which certain motor vehicles registered in the county are required to undergo a periodic test of emission characteristics. The additional inspection station shall be located in the city with the largest population in the county.

**HAZARDOUS WASTE
SITE - STATE CLEAN-UP**

Personal		
Services	610,561	611,944
Other Operating		
Expense	1,482,346	1,482,346

The above appropriations for the hazardous waste site - state clean-up are appropriated from revenues accruing to the hazardous substances response trust fund created by IC 13-25-4-1. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the hazardous substances response trust fund.

**TITLE III
COORDINATION**

Total Operating		
Expense	204,000	204,000

The above appropriations for Title III coordination are appropriated from revenues accruing to the hazardous substances response trust fund created by IC 13-25-4-1. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the hazardous substances response trust fund.

SUPERFUND MATCH

Other Operating		
Expense	1,979,934	1,979,934

The above appropriations for the superfund match are appropriated from revenues accruing to the hazardous substances response trust fund

created by IC 13-25-4-1. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the hazardous substances response trust fund.

HOUSEHOLD
HAZARDOUS WASTE

Total Operating		
Expense	292,252	292,252

The above appropriations for household hazardous waste are appropriated from revenues accruing to the hazardous substances response trust fund created by IC 13-25-4-1. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the hazardous substances response trust fund.

LABORATORY
CONTRACTS

Other Operating		
Expense	3,218,000	3,218,000

Of the foregoing appropriations for laboratory contracts, for fiscal year 1997-98 and fiscal year 1998-99, \$1,250,000 is appropriated from the state general fund. Of the balance of the appropriations for each of fiscal year 1997-98 and fiscal year 1998-99, \$650,000 is appropriated from revenues accruing to the environmental management special fund created by IC 13-14-12-1, and \$1,318,000 is appropriated from revenues accruing to the hazardous substances response trust fund created by IC 13-25-4-1. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the environmental management special fund and the hazardous substances response trust fund.

ASBESTOS TRUST
OPERATING

Personal		
Services	508,928	510,017
Other Operating		
Expense	76,047	76,209

The above appropriations for asbestos trust operating are appropriated from revenues accruing to the asbestos trust fund established by IC 13-17-6-3. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the asbestos trust fund.

PETROLEUM TRUST
OPERATING

Personal		
Services	347,732	348,501
Other Operating		
Expense	439,500	439,500

The above appropriations for petroleum trust operating are appropriated from revenues accruing to the underground petroleum storage tank trust fund created by IC 13-23-6-1. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the underground petroleum storage tank trust fund.

UNDERGROUND

PETROLEUM
STORAGE
TANK-OPERATING

Personal		
Services	395,937	396,811
Other Operating		
Expense	5,142,450	5,142,450

The above appropriations for the underground petroleum storage tank - operating are appropriated from revenues accruing to the underground petroleum storage tank excess liability fund established by IC 13-23-7-1. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the underground petroleum storage tank excess liability fund.

Notwithstanding any other law, with the approval of the governor and the budget agency the above appropriations for hazardous waste management permitting, groundwater, underground storage tank program, air management operating, water management non-permitting, coastal management safe drinking water, office of legal affairs and enforcement, and asbestos trust operating may be used to fund activities incorporated into a performance partnership grant between the United States Environmental Protection Agency and the department of environmental management.

FOR THE OFFICE OF
ENVIRONMENTAL
ADJUDICATION

Personal		
Services	157,487	157,800
Other Operating		
Expense	116,825	116,825

FOR THE HAZARDOUS
WASTE FACILITY
SITE
APPROVAL
AUTHORITY

Total Operating		
Expense	1	1

The foregoing appropriations for the hazardous waste facility site approval authority are from the environmental management special fund created by IC 13-14-12-1. With the approval of the governor and the budget agency, such sums may be augmented from the environmental management special fund.

FOR THE POLLUTION
PREVENTION
INSTITUTE

Other Operating		
Expense	500,000	500,000

1997-260-6

SECTION 6. ECONOMIC DEVELOPMENT

Year	Year
1997-98	1998-99

ECONOMIC DEVELOPMENT

A. AGRICULTURE FOR THE LIEUTENANT GOVERNOR STANDARD BRED BOARD OF REGULATION

Total Operating Expense	134,000	134,000
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The foregoing appropriations are made from revenues accruing to the state general fund under IC 4-33-12-6(b)(6). With the approval of the governor and the budget agency, the above appropriations for the standardbred board regulation may be augmented from the distribution to the Indiana horse racing commission under IC 4-33-12-6(b)(6).

OFFICE OF THE COMMISSIONER OF AGRICULTURE

Personal Services	1,224,900	1,227,167
Other Operating Expense	259,160	259,160

VALUE ADDED RESEARCH FUND

Total Operating Expense	400,000	400,000
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FARM COUNSELING PROGRAM

Total Operating Expense	175,000	175,000
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B. COMMERCE FOR THE DEPARTMENT OF COMMERCE

ADMINISTRATIVE AND FINANCIAL SERVICES

Personal Services	1,760,172	1,764,131
Other Operating Expense	1,446,439	1,446,439

BUSINESS DEVELOPMENT

Personal Services	1,141,550	1,144,128
Other Operating Expense	189,823	189,823

TOURISM AND FILM DEVELOPMENT

Personal Services	920,834	922,869
Other Operating Expense	405,964	405,964

INTERNATIONAL

TRADE

Personal		
Services	1,671,361	1,672,254
Other Operating		
Expense	224,760	224,760

COMMUNITY

ECONOMIC

DEVELOPMENT

Personal		
Services	389,079	389,952
Other Operating		
Expense	87,842	87,842

OFFICE OF ENERGY

POLICY

Personal		
Services	193,793	194,233
Other Operating		
Expense	46,650	46,650

ENERGY

IMPLEMENTATION

GRANT

Total Operating		
Expense	96,794	96,794

ENTERPRISE ZONE

FUND

Total Operating		
Expense	181,125	181,349

The foregoing appropriations for the enterprise zone fund of the department of commerce are hereby appropriated from the revenues accruing to the fund as created by IC 4-4-6.1. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the enterprise zone fund.

RECYCLING OPERATING

Personal		
Services	87,672	87,869
Other Operating		
Expense	23,567	23,567

RECYCLING

PROMOTION AND

ASSISTANCE

PROGRAM

Total Operating		
Expense	1,500,000	1,500,000

The above appropriations for recycling operating and the recycling promotion and assistance program are made from the Indiana recycling promotion and assistance fund in accordance with the provisions of IC 4-23-5.5. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the Indiana recycling promotion and assistance fund.

WASTE TIRE

MANAGEMENT

Total Operating		
Expense	693,661	693,661

The above appropriations for waste tire management expenses are appropriated from revenues accruing to the waste tire management fund in accordance with the provisions of IC 13-20-13-8. With the approval of the governor and the budget agency, these appropriations may be augmented from revenues accruing to the waste tire management fund.

BUSINESS AND
TOURISM
PROMOTION FUND

Total Operating	
Expense for	
the Biennium	10,000,000

COMMUNITY
PROMOTION
MATCHING FUND

Total Operating	
Expense for	
the Biennium	500,000

ECONOMIC
DEVELOPMENT FUND

Total Operating	
Expense for	
the Biennium	1,500,000

INDUSTRIAL
DEVELOPMENT
GRANT FUND

Total Operating	
Expense for	
the Biennium	8,400,000

LOCAL ECONOMIC
DEVELOPMENT
ORGANIZATION/
REGIONAL
ECONOMIC
DEVELOPMENT
ORGANIZATION
(LEDO/REDO)
MATCHING GRANT
PROGRAM

Total Operating	
Expense for	
the Biennium	2,000,000

STRATEGIC
DEVELOPMENT FUND

Total Operating	
Expense for	
the Biennium	500,000

TOURISM
INFORMATION AND

PROMOTION FUND		
Total Operating Expense	300,000	300,000
TRADE PROMOTION FUND		
Total Operating Expense	200,000	200,000
TRAINING 2000 FUND		
Total Operating Expense for the Biennium	26,000,000	
ECONOMIC DEVELOPMENT COUNCIL		
Total Operating Expense	350,000	350,000
INDIANA DEVELOPMENT FINANCE AUTHORITY (IDFA)		
PROJECT GUARANTY FUND		
Total Operating Expense for the Biennium	1,000,000	
BUSINESS DEVELOPMENT LOAN FUND		
Total Operating Expense for the Biennium	2,000,000	
CAPITAL ACCESS PROGRAM		
Total Operating Expense for the Biennium	2,000,000	
The above appropriation for the capital access program may be used as the state match requirement for the federal capital access program. Of the foregoing appropriation, up to \$500,000 may be used for multi-bank community development corporation start-up grants.		
LABOR/MANAGEMENT COUNCIL		
Total Operating Expense	400,000	400,000
SMALL BUSINESS DEVELOPMENT CORPORATION (SBDC)		
Total Operating Expense	1,540,000	1,540,000
Of the foregoing appropriation for the small business development corporation (SBDC), \$500,000 shall be allocated to the minority		

business financial assistance program to capitalize the SBDC microloan program.

SBDC, SMALL
BUSINESS
INCUBATOR FUND

Total Operating		
Expense for		
the Biennium	500,000	

The budget agency may not make an allotment of funds appropriated to the business and tourism promotion fund, the industrial development grant fund, the LEDO/REDO matching grant program, the strategic development fund, the training 2000 fund, the IDFA project guaranty fund, or the SBDC small business incubator fund until the budget committee has reviewed the sums requested for allotment.

INDIANAPOLIS
AIRPORT
AUTHORITY -
INDIANA
TRANSPORTATION
FINANCE
AUTHORITY -
AIRPORT
FACILITIES

Total Operating		
Expense	17,378,996	18,038,976

INDIANA INDIVIDUAL
DEVELOPMENT
ACCOUNTS

Total Operating		
Expense	720,000	1,440,000

The foregoing appropriations to the department of commerce are made in lieu of the appropriations made in HEA 1425-1997.

C. EMPLOYMENT SERVICES

FOR THE DEPARTMENT
OF WORKFORCE
DEVELOPMENT,

DIVISION OF
EMPLOYMENT
AND TRAINING
SERVICES, OFFICE
OF OCCUPATIONAL
DEVELOPMENT-
O.I.C.

Total Operating		
Expense	200,000	200,000

The above appropriations for the department of workforce development, division of employment and training services shall be used to carry out the purposes of IC 22-4-40.

TRAINING PROGRAMS

Total Operating		
Expense	3,280,000	3,280,000

ADMINISTRATION

Total Operating

Expense

1,576,022

1,576,022

Of the foregoing appropriation for administration, \$275,000 for each year is for a community workforce learning pilot program.

OFFICE OF
WORKFORCE
LITERACY

Total Operating

Expense

650,000

650,000

VOCATIONAL
EDUCATION
EQUIPMENT
REPLACEMENT
ALLOCATION

Distribution

1,500,000

1,500,000

Transfer appropriations shall be made to the respective institutions' operating accounts by the auditor of state based on the allocations specified below:

INDIANA
UNIVERSITY-
REGIONAL
CAMPUSES

EAST

Total Operating

Expense

Allocation

15,840

15,840

KOKOMO

Total Operating

Expense

Allocation

12,048

12,048

NORTHWEST

Total Operating

Expense

Allocation

30,342

30,342

SOUTH BEND

Total Operating

Expense

Allocation

13,832

13,832

INDIANA
UNIVERSITY-
PURDUE
UNIVERSITY
AT INDIANAPOLIS
(IUPUI)

Total Operating

Expense

Allocation

51,611

51,611

INDIANA
UNIVERSITY-
PURDUE

UNIVERSITY AT FORT WAYNE		
Total Operating Expense		
Allocation	40,233	40,233
PURDUE UNIVERSITY		
LAFAYETTE CAMPUS		
Total Operating Expense		
Allocation	40,010	40,010
CALUMET		
Total Operating Expense		
Allocation	29,152	29,152
NORTH CENTRAL		
Total Operating Expense		
Allocation	22,533	22,533
INDIANA STATE UNIVERSITY		
Total Operating Expense		
Allocation	12,048	12,048
BALL STATE UNIVERSITY		
Total Operating Expense		
Allocation	18,294	18,294
VINCENNES UNIVERSITY		
Total Operating Expense		
Allocation	134,829	134,829
IVY TECH STATE COLLEGE		
Total Operating Expense		
Allocation	1,079,228	1,079,228

1997-260-7

SECTION 7. TRANSPORTATION

Year	Year
1997-98	1998-99

DEPARTMENT OF TRANSPORTATION

For the conduct and operation of the department of transportation, the following sums are hereby appropriated for the periods of time herein designated, from the state general fund, the public mass

transportation fund, the industrial rail service fund, the state highway fund, the motor vehicle highway fund, the distressed road fund, the state highway road construction and improvement fund, and the motor carrier regulation fund.

A. ADMINISTRATION

Personal		
Services	498,798	516,184
Other Operating		
Expense	160,449	159,274

Of the funds appropriated for fiscal year 1997-98, \$178,000 is appropriated from the public mass transportation fund established under IC 8-23-3-8; \$26,400 is appropriated from the industrial rail service fund established under IC 8-3-1.7-2; \$74,634 is appropriated from the state general fund; and \$380,213 is appropriated from the state highway fund established by IC 8-23-9-54.

Of the funds appropriated above for fiscal year 1998-99, \$182,400 is appropriated from the public mass transportation fund established under IC 8-23-3-8; \$27,000 is appropriated from the industrial rail service fund established under IC 8-3-1.7-2; \$76,457 is appropriated from the state general fund; and \$389,601 is appropriated from the state highway fund established by IC 8-23-9-54.

The above appropriations may be used to match federal funds available for planning and administration of transportation programs in Indiana. With the approval of the governor and the budget agency, said sums may be augmented from the public mass transportation fund, the industrial rail service fund, the state general fund and the state highway fund.

RAILROAD GRADE CROSSING IMPROVEMENT FUND

Total Operating		
Expense	250,000	250,000

The above appropriations for the railroad grade crossing improvement fund are made from the state general fund.

B. INTERMODAL

OPERATING

Total Operating		
Expense	1,709,195	1,770,556

INTERMODAL GRANT PROGRAM

Total Operating		
Expense	37,000	37,000

The foregoing appropriations for the intermodal operating and intermodal grant programs are hereby appropriated from revenues accruing to the department of transportation administrative fund. With the approval of the governor and the budget agency, these sums may be augmented from revenues accruing to the fund.

HIGH SPEED RAIL

Total Operating		
Expense for		
the Biennium	27,900	

The foregoing appropriation for high speed rail is appropriated from the high speed rail development fund established by IC 8-23-25-1.

PUBLIC MASS
TRANSPORTATION

Matching

Funds

~~23,816,529~~

The above appropriations for matching funds are appropriated from the public mass transportation fund established by IC 8-23-3-8.

The appropriations are to be used solely for the promotion and development of public transportation. The department of transportation shall allocate funds based on a formula approved by the commissioner of the department of transportation.

The department of transportation may distribute public mass transportation funds to an eligible municipal corporation that provides public transportation in Indiana.

The state funds can be used to match federal funds available under the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601, et seq.), or local funds from a requesting municipal corporation (as defined in IC 36-1-2-10).

Before funds may be disbursed to a municipal corporation, the corporation must submit its request for financial assistance to the department of transportation for approval. Allocations must be approved by the governor and the budget agency after review by the budget committee and shall be made on a reimbursement basis. Only applications for capital and operating assistance may be approved. Only those corporations which have met the reporting requirements under IC 8-23-3 are eligible for assistance under this appropriation.

If the balance in the public mass transportation fund exceeds the above appropriations, said excess amount is hereby appropriated to be used by the department of transportation, with the approval of the governor and the budget agency.

C. HIGHWAY
OPERATING

Personal

Services

154,511,808

162,591,382

Other Operating

Expense

39,365,997

39,324,766

HIGHWAY VEHICLE
AND ROAD
MAINTENANCE
EQUIPMENT

Other Operating

Expense

13,485,620

13,890,190

The above appropriations for highway operating and highway vehicle and road maintenance equipment may be used for personal services, equipment, and other operating expense, including the cost of transportation for the governor.

HIGHWAY
BUILDINGS AND
GROUNDS

Total Operating

Expense for
the Biennium 21,050,000

The above appropriations for highway buildings and grounds may be used for land acquisition, site development, construction and equipping new highway facilities and for maintenance, repair, and rehabilitation on existing state highway facilities.

HIGHWAY PLANNING
AND RESEARCH
PROGRAM

Total Operating
Expense 1,528,545 1,528,545

D. HIGHWAY CAPITAL
IMPROVEMENTS
PROGRAM

HIGHWAY
MAINTENANCE
WORK PROGRAM

Other Operating
Expense 59,717,912 62,106,629

The above appropriations for the highway maintenance work program may be used for:

- (1) materials for patching roadways and shoulders;
- (2) repairing and painting bridges;
- (3) installing signs and signals and painting roadways for traffic control;
- (4) mowing, herbicide application, and brush control;
- (5) drainage control;
- (6) maintenance of rest areas, public roads on properties of the department of natural resources, and driveways on the premises of all state facilities;
- (7) materials for snow and ice removal;
- (8) utility costs for roadway lighting; and
- (9) other special maintenance and support activities consistent with the highway maintenance work program.

HIGHWAY CAPITAL
IMPROVEMENTS

Right of Way 9,000,000 9,000,000
Formal
Contracts 208,800,000 214,900,000
Consulting
Services 12,188,980 12,188,980

The above appropriations for the capital improvements program may be used for:

- (1) bridge rehabilitation and replacement;
- (2) road construction, reconstruction, or replacement;
- (3) construction, reconstruction, or replacement of travel lanes, intersections, grade separations, rest parks, and weigh stations;
- (4) relocation and modernization of existing roads;
- (5) resurfacing;
- (6) erosion and slide control;
- (7) construction and improvement of railroad grade crossings,

including the use of the appropriations to match federal funds for said projects;

(8) small structure replacements;

(9) safety and spot improvements; and

(10) right-of-way, relocation, and engineering and consulting expenses associated with any of the above types of projects.

The foregoing appropriations for highway operating, highway vehicles and road maintenance equipment, highway buildings and grounds, highway planning and research program, highway maintenance work program, and highway capital improvements are appropriated from estimated revenues which include the following:

(1) Funds distributed to the state highway fund from the motor vehicle highway account under IC 8-14-1-3(4).

(2) Funds distributed to the state highway fund from the highway, road and street fund under IC 8-14-2-3.

(3) All fees and miscellaneous revenues deposited in or accruing to the state highway fund pursuant to IC 8-23-9-54.

(4) Any unencumbered funds carried forward in the state highway fund from any previous fiscal year.

(5) All other funds appropriated or made available to the department by the general assembly.

(6) Of the foregoing appropriation for formal contracts, there is appropriated from revenues accruing to the state general fund an amount not to exceed \$35,000,000 for each fiscal year 1997-98 and 1998-99.

If funds from sources set out above for the department exceed appropriations from those sources to the department, said excess amount is hereby appropriated to be used at the discretion of the department with approval of the governor and the budget agency for the conduct and operation of the department.

If there is a change in statute reducing or increasing revenue for department use, the budget agency shall notify the auditor of state to adjust the above appropriations to reflect the estimated increase or decrease. Upon the request of the department, the budget agency, with the approval of the governor, may allot any increase in appropriations to the department.

If the department of transportation finds that an emergency exists or that an appropriation will be insufficient to cover expenses incurred in the normal operation of the department, the budget agency may, upon request of the department, and with the approval of the governor, transfer funds from revenue sources set out above from one (1) appropriation to the deficient appropriation. No appropriation from the state highway fund may be used to fund any toll road or toll bridge project except as specifically provided for under IC 8-15-2-20.

STATE HIGHWAY
ROAD
CONSTRUCTION
AND IMPROVEMENT
PROGRAM

Formal

Contracts

2,958,000

4,759,000

Lease Rental		
Payments	27,630,233	26,437,696

The above appropriations for the state highway road construction and improvement program are appropriated from the state highway road construction and improvement fund provided in IC 8-14-10-5 and may include any unencumbered funds carried forward from any previous fiscal year. The funds may be used for:

- (1) road and bridge construction, reconstruction, or replacement;
- (2) construction, reconstruction, or replacement of travel lanes, intersections, grade separations, and to include state road 46 west;
- (3) relocation and modernization of existing roads;
- (4) right-of-way, relocation, and engineering and consulting expenses associated with any of the above types of projects; and
- (5) payment of rentals and leases relating to projects under IC 8-14.5.

The above appropriations, with the approval of the governor and the budget agency, may be augmented from funds accruing to the state highway road construction and improvement fund.

**CROSSROADS 2000
PROGRAM**

Total Operating		
Expenses		
(Including Formal		
Contracts and		
Lease Rental		
Payments)	27,000,000	27,000,000

The above appropriations for the crossroads 2000 program are appropriated from the crossroads 2000 fund provided in IC 8-14-10-9 and may include any unencumbered funds carried forward from any previous fiscal year.

The above appropriations, with the approval of the governor and the budget agency, may be augmented from funds accruing to the crossroads 2000 fund.

**FEDERAL
APPORTIONMENT**

Right-of-Way	14,000,000	22,000,000
Formal		
Contracts	288,100,000	266,300,000
Consulting		
Engineers	30,496,020	14,496,020
Highway		
Planning		
and Research	4,618,638	4,618,638
Local		
Government		
Revolving		
Account	101,250,000	101,250,000

The department may establish an account to be known as the "local government revolving account". The account is to be used to administer the federal-local highway construction program. All contracts issued

and all funds received for federal-local projects under this program shall be entered into this account.

If the federal apportionments for the fiscal years covered by this act exceed the above estimated appropriations for the department or for local governments, the excess federal apportionment is hereby appropriated for use by the department with the approval of the governor and the budget agency.

The department shall bill the federal government for all department payments that are eligible for total or partial reimbursement in a timely manner.

The department may let contracts and enter into agreements for construction and preliminary engineering during each year of the 1997-99 biennium which obligate not more than one-third (1/3) of the amount of state funds estimated by the department to be available for appropriation in the following year for formal contracts and consulting engineers for the capital improvements program.

Under IC 8-23-5-7(a), the department, with the approval of the governor, may construct and maintain roadside parks and highways where said highways will connect any state highway now existing, or hereafter constructed, with any state park, state forest preserve, state game preserve, or the grounds of any state institution. There is hereby appropriated to the department of transportation an amount sufficient to carry out the provisions of this paragraph. Under IC 8-23-5-7(d), such appropriations shall be made from the motor vehicle highway account before distribution to local units of government.

E. LOCAL TECHNICAL ASSISTANCE AND RESEARCH

Pursuant to IC 8-14-1-3(6), there is appropriated to the department of transportation an amount sufficient for:

- (1) the program of technical assistance under IC 8-23-2-5(6);
and
- (2) the research and highway extension program conducted for local government under IC 8-17-7-4.

The department shall develop an annual program of work for research and extension, in cooperation with those units being served, listing the types of research and educational programs to be undertaken. The commissioner of the department of transportation may make a grant under this appropriation to the institution or agency selected to conduct the annual work program. Under IC 8-14-1-3(6), appropriations for the program of technical assistance and for the program of research and extension shall be taken from the local share of the motor vehicle highway account.

Under IC 8-14-1-3(7) there is hereby appropriated such sums as are necessary to maintain a sufficient working balance in accounts established to match federal and local money for highway projects. These funds are appropriated from the following sources in the proportion specified:

- (1) one-half (1/2) from the forty-seven percent (47%) set aside of the motor vehicle highway account under IC 8-14-1-3(7); and
- (2) for counties and for those cities and towns with a population greater than five thousand (5,000), one-half (1/2) from the

distressed road fund under IC 8-14-8-2.

1997-260-8

**SECTION 8. FAMILY AND SOCIAL SERVICES, HEALTH,
AND VETERANS' AFFAIRS**

	Year 1997-98	Year 1998-99
FAMILY AND SOCIAL SERVICES, HEALTH, AND VETERANS' AFFAIRS		
A. FOR THE FAMILY AND SOCIAL SERVICES ADMINISTRATION		
FAMILY AND SOCIAL SERVICES ADMINISTRATION		
Total Operating Expense	12,742,832	12,765,619
HEALTH, FAMILY AND SOCIAL SERVICES COORDINATING ACCOUNT		
Total Operating Expense	167,409	167,785
COMMISSION FOR THE STATUS OF BLACK MALES		
Total Operating Expense	100,000	100,000
FOR THE BUDGET AGENCY		
FSSA/DEPARTMENT OF HEALTH INSTITUTIONAL CONTINGENCY FUND		
Total Operating Expense for the Biennium	6,000,000	
The above institutional contingency fund shall be allotted upon the recommendation of the budget agency with approval of the governor. This appropriation shall be used to supplement individual hospital, state developmental center, and special institutions budgets.		
FOR THE FAMILY AND SOCIAL SERVICES ADMINISTRATION		
OFFICE OF MEDICAID POLICY AND PLANNING OFFICE ADMINISTRATION		

Total Operating		
Expense	3,724,656	3,877,769
MEDICAID DISABILITY		
ELIGIBILITY EXAMS		
Total Operating		
Expense	850,000	850,000
MEDICAID - CURRENT		
OBLIGATIONS		
Total Operating		
Expense	905,680,000	964,540,000

In addition to the foregoing appropriations for Medicaid - Current Obligations, \$35,000,000 in each fiscal year is hereby appropriated from the state hospital care for the indigent fund established by IC 12-16-14-6, notwithstanding the provisions of IC 12-16, for Medicaid - Current Obligations. The foregoing appropriations may be augmented from the Indigent Care Trust Fund pursuant to IC 12-15-20-2(3), subject to the approval of the governor and the budget agency.

MEDICAID -
ADMINISTRATION

Total Operating		
Expense	18,965,993	18,020,613

The foregoing appropriations for Medicaid assistance and for Medicaid administration are for the purpose of enabling the office of Medicaid policy and planning to carry out all services as provided in IC 12-8-6. In addition to the above appropriations, all money received from the federal government and paid into the state treasury as a grant or allowance is appropriated and shall be expended by the office of Medicaid policy and planning for the respective purposes for which such money was allocated and paid to this state. Subject to the provisions of P.L.46-1995, if the sums herein appropriated for Medicaid assistance and for Medicaid administration are insufficient to enable the office of Medicaid policy and planning to meet its obligations, then there is appropriated from the state general fund such further sums as may be necessary for such purpose subject to the approval of the governor and the budget agency.

DIVISION
OF MENTAL
HEALTH

Personal		
Services	2,155,383	2,161,265
Other Operating		
Expense	240,095	240,522
PSYCHIATRIC RESEARCH		
Other Operating		
Expense	224,980	224,980

WORK PROGRAM
FOR THE
CHRONICALLY
MENTALLY ILL
Other Operating

Expense	373,448	373,448
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RESIDENTIAL
SERVICES FOR
THE MENTALLY ILL

Other Operating Expense	22,292,162	22,292,162
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The division of mental health must assure that consideration is given to the care and placement of emotionally disturbed children when allocating the above appropriations for residential services for mentally ill persons.

COMMUNITY MENTAL
ILLNESS CLINICS

Other Operating Expense	194,353	194,353
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COMPREHENSIVE
COMMUNITY
MENTAL HEALTH
SERVICES

Total Operating Expense	56,002,767	56,002,767
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The foregoing appropriations for the division of mental health comprehensive community mental health services are from revenues accruing to the state general fund in the following amounts: for fiscal year 1997-98 \$51,557,767; for fiscal year 1998-99 \$51,557,767; and the balance from revenues accruing to the mental health centers fund as established under IC 6-7-1. With the approval of the governor and the budget agency, these sums may be augmented from revenues accruing to the mental health centers fund. The comprehensive community mental health centers shall submit their proposed annual budgets (including income and operating statements) to the budget agency on or before August 1 of each year. All federal funds shall be applied in augmentation of the foregoing funds rather than in lieu of any portion of the funds.

The above appropriations for comprehensive community mental health services include the intragovernmental transfers necessary to provide the nonfederal share of reimbursement under the Medicaid rehabilitation option. With the approval of the governor and the budget agency, \$3,300,000 of this appropriation may be transferred to the division of mental health community transition fund each year of the biennium.

ALCOHOL AND
DRUG SERVICES
COURT
REMISSIONS

Total Operating Expense	2,946,936	2,946,936
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The above appropriations are from revenue accruing to the addiction services fund authorized under IC 12-23-2.

GAMBLERS'
ASSISTANCE FUND

Total Operating		
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Expense	1,200,000	1,600,000
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The above appropriations to the gamblers' assistance fund may be augmented in accordance with the provisions of IC 4-33-12-6(f).

ADDICTION SERVICES

Total Operating		
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Expense	1,000,000	1,000,000
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MENTAL HEALTH

COMMUNITY

TRANSITION

FUND

Total Operating		
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Expense	23,717,248	32,333,335
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MENTAL HEALTH

INSTITUTIONS

Personal		
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Services	92,947,720	86,482,210
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Other Operating		
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Expense	15,146,875	14,473,819
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PATIENT PAYROLL

Total Operating		
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Expense	320,000	320,000
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The foregoing appropriations for the mental health institutions are for the operations of Evansville psychiatric children's center, Evansville state hospital, Larue D. Carter memorial hospital, Logansport state hospital, Madison state hospital, and Richmond state hospital.

The foregoing appropriations for the division of mental health institutions are from revenues accruing to the state general fund in the following amounts: for fiscal year 1997-98, up to \$85,687,590; for fiscal year 1998-99, up to \$78,604,635; and the balance from revenues accruing to the mental health fund established by IC 12-24-14.

Sixty-six percent (66%) of the revenues accruing to the state mental health institutions pursuant to IC 12-15 shall be deposited in the mental health fund established by IC 12-24-14, and thirty-four percent (34%) of the revenues accruing to the institutions, under IC 12-15, shall be deposited in the state general fund.

In addition to the above appropriations each institution may qualify for an additional appropriation, or allotment, subject to approval of the governor and the budget agency, from the mental health fund of up to twenty percent (20%), but not to exceed \$50,000 in each fiscal year, of the amount in which actual net collections exceed an amount specified in writing by the division of mental health before July 1 of each year beginning July 1, 1997.

DIVISION

OF FAMILY AND

CHILDREN SERVICES

Personal		
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Services	4,795,161	4,805,692
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Other Operating		
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Expense	1,801,453	1,801,453
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PERSONAL SERVICES

REIMBURSEMENT

TO COUNTIES
INCLUDING PERF,
HEALTH
INSURANCE, AND
LIFE INSURANCE

Total Operating Expense	55,132,803	57,063,486
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SPECIAL NEEDS
ADOPTION

Personal Services	263,519	264,017
Other Operating Expense	405,108	405,108

TITLE IV-D OF THE
FEDERAL SOCIAL
SECURITY ACT
(STATE MATCH)

Total Operating Expense	9,659,139	9,377,518
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The foregoing appropriations for the division of family and children Title IV-D of the federal Social Security Act are made pursuant to, and not in addition to, IC 12-17-2-31.

STATE WELFARE
FUND - COUNTY
ADMINISTRATION

Total Operating Expense	30,882,198	31,499,841
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Without the approval of the governor and the budget agency, the amount of federal administrative allowance transferred to the state welfare fund - county administration shall not exceed \$70,172,041 in fiscal year 1997-98 and \$71,921,019 in fiscal year 1998-99. The above appropriations for the state welfare fund are from revenue accruing to the fund authorized under IC 12-19-4. These sums may be augmented, with the approval of the governor and the budget agency, from revenues accruing to the fund.

ADOPTION
ASSISTANCE

Total Operating Expense	3,642,358	4,093,526
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TITLE IV-B CHILD
WELFARE

Total Operating Expense	2,441,327	2,537,101
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NON-RECURRING
ADOPTION
ASSISTANCE

Total Operating Expense	175,000	175,000
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ADOPTION
OPPORTUNITIES

Total Operating		
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Expense	50,000	50,000
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The foregoing appropriations for Title IV-B child welfare, non-recurring adoption assistance, adoption assistance, and adoption opportunities represent the maximum state match for Title IV-B.

IMPACT (JOBS)
PROGRAM (AFDC
RECIPIENTS)

Total Operating Expense	11,332,015	11,466,713
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IMPACT PROGRAM
(FOOD STAMPS
RECIPIENTS)

Total Operating Expense	5,618,792	5,671,095
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BURIAL
REIMBURSEMENT
- AFDC

Total Operating Expense	50,000	50,000
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TEMPORARY ASSISTANCE
TO NEEDY FAMILIES
(TANF)

Total Operating Expense	35,057,943	35,057,943
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CHILD CARE
DEVELOPMENT

Total Operating Expense	22,115,020	23,170,756
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The foregoing appropriations for temporary assistance to needy families (TANF), child care development, burials, the IMPACT (JOBS), and the IMPACT (food stamps recipients) programs are for the purpose of enabling the division of family and children to carry out all services as provided in IC 12-14. In addition to the above appropriations, all money received from the federal government and paid into the state treasury as a grant or allowance is appropriated and shall be expended by the state division of family and children for the respective purposes for which such money was allocated and paid to this state.

DOMESTIC VIOLENCE
PREVENTION AND
TREATMENT
PROGRAM

Total Operating Expense	1,121,098	1,121,098
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The above appropriations for the domestic violence prevention and treatment program shall be paid from receipts to the domestic violence prevention and treatment fund created by IC 12-18-4; provided that if revenues accruing to the fund are greater than the appropriations, the appropriations for grants only may be augmented to the limit of revenues with the approval of the governor and the budget agency.

PROJECT SAFE

PLACE

Total Operating Expense	125,000	125,000
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STEP AHEAD

Total Operating Expense	3,687,076	3,699,479
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CHEESE

COMMODITIES

Total Operating Expense	146,000	146,000
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YOUTH SERVICE

BUREAU FUND

Total Operating Expense	1,000,000	1,000,000
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The executive director of the division of family and children shall establish standards for youth service bureaus. Any youth service bureau that is not an agency of a unit of local government or is not registered with the Indiana secretary of state as a nonprofit corporation shall not be funded. The division of family and children shall fund all youth service bureaus that meet the standards as established June 30, 1983. However, a grant may not be made without approval by the budget agency after review by the budget committee.

EARLY CHILDHOOD

INTERVENTION

SERVICES

Total Operating Expense for the Biennium	4,347,000	
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SCHOOL AGE CHILD

CARE PROJECT

FUND

Total Operating Expense	550,000	550,000
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The above appropriations for the school age child care project fund include the appropriation made in IC 6-7-1-30.2.

SOCIAL SERVICES

BLOCK GRANT -

PURCHASE OF

SOCIAL SERVICES

CONTINGENCY FUND

Total Operating Expense for the Biennium	34,690,608	
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The above appropriated funds are allocated in the following manner during the biennium:

Division of Disability,
Aging, and
Rehabilitative

Services:	6,162,973	6,162,973
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Division of
Family and

Children, Child Welfare Services:	3,200,209	3,200,209
Division of Family and Children, Child Development Services:	4,131,465	4,131,465
Division of Family and Children, Family Protection Services:	1,314,774	1,314,774
Division of Mental Health:	1,373,748	1,373,748
State Department of Health:	166,515	166,515
Department of Correction:	995,620	995,620
FOR THE STATE BUDGET AGENCY MEDICAL SERVICE PAYMENTS Total Operating Expense	13,000,000	13,000,000

These appropriations for medical service payments are made to pay for medical services for committed individuals and patients of institutions under the jurisdiction of the department of correction, the state department of health, or the division of mental health if the services are provided outside these institutions. These appropriations may not be used for payments for medical services that are covered by IC 12-16 unless these services have been approved under IC 12-16. These appropriations shall not be used for payment for medical services which are payable from an appropriation in this act for the state department of health, the division of mental health, or the department of correction, or that are reimbursable from funds for medical assistance under IC 12-15. If these appropriations to the budget agency are insufficient to make these medical service payments, there is hereby appropriated such further sums as may be necessary.

Direct disbursements from the above contingency fund are not subject to the provisions of IC 4-13.4.

FOR THE FAMILY
AND SOCIAL
SERVICES
ADMINISTRATION
DIVISION
OF DISABILITY, AGING, AND
REHABILITATIVE

SERVICES

AGING SERVICES

Total Operating

Expense	355,412	355,412
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C.H.O.I.C.E. IN-HOME SERVICES

Total Operating

Expense	37,482,063	37,482,455
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The foregoing appropriations for C.H.O.I.C.E./In-Home Services include intragovernmental transfers to provide the nonfederal share of the Medicaid aged and disabled waiver.

If the above appropriations for C.H.O.I.C.E./In-Home Services are insufficient to provide services to all eligible persons, the division of disability, aging, and rehabilitative services may give priority for services to persons who are unable to perform three (3) or more activities of daily living (as defined in IC 12-10-10-1.5). The division of disability, aging, and rehabilitative services may discontinue conducting assessments for individuals applying for services under the C.H.O.I.C.E./In-Home Services program if a waiting list for such services exists. It is the intent of the General Assembly to serve at least two thousand four hundred (2,400) additional individuals through the C.H.O.I.C.E./In-Home Services program above the level being served on January 1, 1997.

The division of disability, aging, and rehabilitative services shall conduct an annual evaluation of the cost effectiveness of providing home care. Before January of each year, the division shall submit a report to the budget committee, the budget agency, and the legislative council that covers all aspects of the division's evaluation and such other information pertaining thereto as may be requested by the budget committee, the budget agency, or the legislative council, including the following: the number and demographic characteristics of the recipients of home care during the preceding fiscal year; the total cost and per recipient cost of providing home care services during the preceding fiscal year; the number of recipients of home care services who would have been placed in long term care facilities had they not received home care services; and the total cost savings during the preceding fiscal year realized by the state due to recipients of home care services (including Medicaid) being diverted from long term care facilities. The division shall obtain from providers of services data on their costs and expenditures regarding implementation of the program and report the findings to the budget committee, the budget agency, and the legislative council.

OLDER HOOSIERS

ACT

Total Operating

Expense	1,914,963	1,915,071
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The above appropriations for the older Hoosiers act include funds for the community and home options to institutional care for the elderly and disabled program of IC 12-10-10. With the approval of the governor and the budget agency, part of the foregoing appropriations for the older Hoosiers act may be transferred to offset shortfalls in the appropriations for adult protection services or adult guardianship

services.

ADULT PROTECTION
SERVICES

Total Operating		
Expense	758,000	758,000

With the approval of the governor and the budget agency, part of the foregoing appropriations for adult protection services may be transferred to offset shortfalls in the appropriations for the older Hoosiers act or for adult guardianship services.

OBRA PREADMISSION
SCREENING

Total Operating		
Expense	37,538	37,538

ADULT GUARDIANSHIP
SERVICES

Personal		
Services	35,929	36,007
Other Operating		
Expense	362,338	362,338

With the approval of the governor and the budget agency, part of the foregoing appropriations for adult guardianship services may be transferred to offset shortfalls in the appropriations for the older Hoosiers act or for adult protection services.

OFFICE OF DEAF
AND HEARING
IMPAIRED

Personal		
Services	239,491	240,011
Other Operating		
Expense	296,180	296,180

COMMUNITY
RESIDENTIAL
FACILITIES
COUNCIL

Personal		
Services	7,800	7,800
Other Operating		
Expense	16,982	16,982

RESIDENTIAL
SERVICES - CASE
MANAGEMENT

Personal		
Services	2,393,276	2,399,944
Other Operating		
Expense	858,196	859,458

VOCATIONAL
REHABILITATION
SERVICES

Personal		
Services	2,555,780	2,561,313
Other Operating		

Expense	8,380,347	8,381,222
EMPLOYEE TRAINING		
Total Operating		
Expense	6,300	6,300
AID TO INDEPENDENT		
LIVING		
Total Operating		
Expense	22,222	22,222
OFFICE OF SERVICES		
FOR THE BLIND AND		
VISUALLY IMPAIRED		
Personal		
Services	194,097	194,521
Other Operating		
Expense	139,502	139,502
BLIND VENDING		
OPERATIONS		
Total Operating		
Expense	127,670	128,298
EPILEPSY SERVICES		
Other Operating		
Expense	460,954	460,954
COMMUNITY MENTAL		
RETARDATION AND		
DEVELOPMENTAL		
CENTERS DAY		
PROGRAMS		
Other Operating		
Expense	27,661,314	27,661,314

With the approval of the governor and the budget agency, the following amounts may be transferred from the foregoing appropriations for day programs: \$1,250,000 for each year of the biennium to early childhood intervention services; and \$400,000 for each year of the biennium to residential services-case management. All of the above appropriations to the division of disability, aging, and rehabilitative services community mental retardation and developmental centers for day programs, less the detailed transfers described in this paragraph, shall be authorized and made available for agencies for disbursement only on a units purchase of services basis. Rates for such services shall be determined in accordance with adopted rules based on wage and expense information from agencies providing these services. Agencies shall be paid for actual units provided to eligible recipients up to the limit of the above appropriations and inclusive of social services block grant appropriations. Before any contract is prepared obligating fiscal year 1997-98 appropriations, the division of disability, aging, and rehabilitative services must submit a listing of services to be purchased and the rates for such services for review and approval by the budget agency. After budget agency review and approval, the division shall notify each local agency of the services that have been authorized for purchase and shall limit all subsequent contracts to the services as authorized.

The above appropriation for community mental retardation and developmental centers day programs include the intragovernmental transfers necessary to provide the nonfederal share of reimbursement under the Medicaid program for day services provided to residents of group homes and nursing facilities.

DIAGNOSIS AND
EVALUATION

Other Operating		
Expense	465,394	465,394

The above appropriations to the division of disability, aging, and rehabilitative services community mental retardation and developmental centers for diagnosis and evaluation shall be used primarily for individuals receiving residential services and applicants for residential services who are in need of these services.

SUPPORTED
EMPLOYMENT

Other Operating		
Expense	3,117,498	3,117,498

FAMILY SUBSIDY
PROGRAM

Other Operating		
Expense	502,350	502,350

RESIDENTIAL
SERVICES FOR
DEVELOPMENTALLY
DISABLED PERSONS

Total Operating		
Expense for		
the Biennium	26,855,640	

In the development of new community residential settings for persons with developmental disabilities, the division of disability, aging, and rehabilitative services must give priority to the appropriate placement of such persons who are eligible for Medicaid and currently residing in intermediate care or skilled nursing facilities and, to the extent permitted by law, such persons who reside with aged parents or guardians or families in crisis.

BUREAU OF
DEVELOPMENTAL
DISABILITIES
SERVICES
TRANSITION FUND

Total Operating		
Expense	6,211,000	6,211,000

DIVISION OF DISABILITY,
AGING, AND
REHABILITATIVE SERVICES
ADMINISTRATION

Personnel		
Services	364,870	365,690
Other Operating		
Expense	1,022,190	1,022,190

The above appropriations for the division of disability, aging, and rehabilitative services administration is for administrative expenses. Any federal fund reimbursements received for such purposes are to be deposited in the state general fund.

ASSISTANCE TO
PERSONS IN
COUNTY HOMES

Total Operating Expense	5,482,393	5,482,393
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ROOM AND BOARD
ASSISTANCE

Total Operating Expense	5,983,404	5,983,404
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STATE DEVELOPMENTAL
INSTITUTIONS

Personal Services	97,846,686	101,203,114
Other Operating Expense	10,440,249	10,440,249

The foregoing appropriations for the state developmental institutions are for the operations of the Fort Wayne state developmental center; Muscatatuck state developmental center; the New Castle state developmental center; and the northern Indiana state developmental center.

The foregoing appropriations for the state developmental institutions are from revenues accruing to the state general fund in the following amounts: for fiscal year 1997-98, up to \$38,609,826; for fiscal year 1998-99, up to \$37,479,745; and the balance from revenues accruing to the mental health fund established by IC 12-24-14.

Sixty-six percent (66%) of the revenues accruing to the above named state developmental centers pursuant to IC 12-15 shall be deposited in the mental health fund established under IC 12-24-14, and thirty-four percent (34%) of the revenues accruing to the above named institutions under IC 12-15 shall be deposited in the state general fund.

In addition to the above appropriations each institution may qualify for an additional appropriation, or allotment, subject to approval of the governor and the budget agency, from the mental health fund of up to twenty percent (20%) but not to exceed \$50,000, of the amount in which actual net collections exceed an amount specified in writing by the division of disability, aging, and rehabilitative services before July 1 of each year beginning July 1, 1997.

B. PUBLIC HEALTH
FOR THE STATE
DEPARTMENT OF
HEALTH

Personal Services	17,699,092	17,734,825
Other Operating Expense	7,451,594	6,842,019

All receipts to the state department of health from licenses or permit fees shall be deposited into the state general fund.

AID TO COUNTY
TUBERCULOSIS
HOSPITALS

Other Operating		
Expense	115,481	115,481

These funds shall be used for eligible expenses according to IC 16-21-7-3 for tuberculosis patients for whom there are no other sources of reimbursement, including patient resources, health insurance, medical assistance payments, and hospital care for the indigent.

PROJECT RESPECT

Total Operating		
Expense	1,600,000	1,600,000

HOOSIER STATE GAMES

Total Operating		
Expense	225,000	225,000

CANCER REGISTRY

Personal		
Services	212,432	212,794
Other Operating		
Expense	9,632	9,632

MEDICARE-MEDICAID

CERTIFICATION

Total Operating		
Expense	4,186,236	4,198,647

AIDS EDUCATION

Personal		
Services	332,271	333,008
Other Operating		
Expense	487,729	487,729

HIV/AIDS SERVICES

Total Operating		
Expense	1,250,000	2,500,000

TEST FOR DRUG

AFFLICTED BABIES

Total Operating		
Expense	67,200	67,200

The above appropriation for drug afflicted babies shall be used for the following purposes:

(1) An infant shall be tested for the presence of a controlled substance in the infant's meconium if at birth:

(A) the infant's weight is less than two thousand five hundred (2,500) grams;

(B) the infant's head is smaller than the third percentile for the infant's gestational age; and

(C) there is no medical explanation for the conditions described in clauses (A) and (B).

(2) If a meconium test determines the presence of a controlled substance in the infant's meconium, the infant may be declared a child in need of services as provided in IC 31-34-1-10 through IC 31-34-1-13. However, the child's mother may not be

prosecuted in connection with the results of the test.

(3) The state department of health shall provide forms on which the results of a meconium test performed on an infant under subdivision (1) must be reported to the state department of health by physicians and hospitals.

(4) The state department of health shall, at least semi-annually:

(A) ascertain the extent of testing under this chapter; and

(B) report its findings under subdivision (1) to:

(A) all hospitals;

(B) physicians who specialize in obstetrics and gynecology or work with infants and young children; and

(C) any other group interested in child welfare that requests a copy of the report from the state department of health.

(5) The state department of health shall designate at least one (1) laboratory to perform the meconium test required under subdivisions (1) through (8). The designated laboratories shall perform a meconium test on each infant described in subdivision (1) to detect the presence of a controlled substance.

(6) Subdivisions (1) through (8) do not prevent other facilities from conducting tests on infants to detect the presence of a controlled substance.

(7) Each hospital and physician shall:

(A) take or cause to be taken a meconium sample from every infant born under the hospital's and physician's care who meets the description under subdivision (1); and

(B) transport or cause to be transported each meconium sample described in clause (A) to a laboratory designated under subdivision (5);

to test for the presence of a controlled substance as required under subdivisions (1) through (8).

(8) Not later than January 1, 1999, the state department of health shall begin to evaluate the program established under subdivisions (1) through (8). The state department of health shall report the results of the evaluation to the general assembly not later than June 30, 1999. The general assembly shall use the results of the evaluation to determine whether to continue the testing program established under subdivisions (1) through (8).

(9) A medically appropriate discharge of an infant may not be delayed due to the results of the test described in subdivision (1) or due to the pendency of the results of the test described in subdivision (1).

STATE CHRONIC DISEASES

Personal		
Services	88,699	88,898
Other Operating		
Expense	514,735	514,735

At least \$82,560 of the above appropriations shall be for grants to community groups and organizations as provided in IC 16-46-7-8.

CANCER

EDUCATION
AND DIAGNOSIS
BREAST CANCER

Total Operating		
Expense	100,000	100,000

PROSTATE CANCER

Total Operating		
Expense	100,000	100,000

WOMEN, INFANTS,
AND CHILDREN
SUPPLEMENT

Total Operating		
Expense	150,000	150,000

Notwithstanding IC 6-7-1-30.2 the above appropriations for women, infants, and children supplement are the total appropriations provided for this purpose.

MATERNAL AND CHILD
HEALTH SUPPLEMENT

Total Operating		
Expense	150,000	150,000

Notwithstanding IC 6-7-1-30.2, the above appropriations for maternal and child health are the total appropriations provided for this purpose. In addition to the provisions under IC 6-7-1-30.2(b), the above appropriations may be used for other services provided under 42 U.S.C. 701 et seq. in underserved areas of Indiana.

ADOPTION HISTORY

Total Operating		
Expense	199,013	199,369

The above appropriations for adoption history shall be paid from receipts to the adoption history fund created by IC 31-19-18. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the fund.

RADON GAS

TRUST FUND

Total Operating		
Expense	15,000	15,000

The above appropriations for the radon gas trust fund shall be paid from receipts to the radon gas trust fund created by IC 16-41-38-8. With the approval of the governor and the budget agency, said sums may be augmented from receipts accruing to the fund.

COMMUNITY HEALTH
CENTERS

Total Operating		
Expense for the		
Biennium	10,000,000	

Subject to approval by the budget agency after review by the budget committee, \$1,000,000 of the above appropriation for community health centers may be used for capital projects.

LOCAL HEALTH
MAINTENANCE
FUND

Total Operating		
Expense	2,370,000	2,370,000

The above appropriations for the local health maintenance fund include the appropriation provided for this purpose in IC 6-7-1-30.5.

CHILDREN WITH
SPECIAL HEALTH
CARE NEEDS

Total Operating		
Expense	7,471,003	7,471,096

INDIANA MEDICAL
AND NURSING
GRANT FUND

Total Operating		
Expense for the Biennium	176,000	

The above appropriation for the Indiana medical and nursing grant fund is hereby appropriated from revenue accruing to the Indiana medical and nursing grant fund as created by IC 16-46-5. With the approval of the governor and the budget agency, said funds may be augmented from revenue accruing to the fund.

NEWBORN SCREENING
PROGRAM

Personal		
Services	258,598	259,166
Other Operating		
Expense	510,650	510,650

The above appropriations for the newborn screening program of the state department of health are hereby appropriated from revenues accruing to the newborn screening fund as created by IC 16-41-17. With the approval of the governor and the budget agency, said sums may be augmented from revenue accruing to the fund.

BIRTH PROBLEMS
REGISTRY

Personal		
Services	22,742	22,788
Other Operating		
Expense	34,700	34,700

The above appropriations for the birth problems registry shall be paid from receipts to the birth problems registry fund created by IC 16-38-4. With the approval of the governor and the budget agency, said sums may be augmented from revenue accruing to the fund.

MOTOR FUEL
INSPECTION
PROGRAM

Total Operating		
Expense	86,500	86,552

The above appropriations for the motor fuel inspection program shall be paid from receipts accruing to the motor fuel inspection fund created by IC 16-44-3-10. With the approval of the governor and the budget agency, said sums may be augmented from receipts accruing to the fund.

MINORITY HEALTH INITIATIVE		
Total Operating Expense	750,000	1,000,000
FOR THE SILVERCREST CHILDREN'S DEVELOPMENT CENTER		
Personal Services	5,465,194	5,476,748
Other Operating Expense	592,250	592,250
FOR THE INDIANA SCHOOL FOR THE BLIND		
Personal Services	9,246,727	9,339,905
Other Operating Expense	854,621	835,986
FOR THE INDIANA SCHOOL FOR THE DEAF		
Personal Services	12,000,425	12,149,563
Other Operating Expense	1,880,863	1,854,547
FOR THE INDIANA VETERANS' HOME		
Personal Services	15,073,402	15,101,750
Other Operating Expense	3,182,388	3,182,388
The state department of health shall reimburse the state general fund at least \$8,471,906 for fiscal year 1997-98; and \$8,471,906 for fiscal year 1998-99 from the veterans' home comfort and welfare fund established by IC 10-6-1-9.		
FOR THE SOLDIERS' AND SAILORS' CHILDREN'S HOME		
Personal Services	7,321,791	7,336,896
Other Operating Expense	1,520,703	1,520,703
C. VETERANS' AFFAIRS FOR THE DEPARTMENT OF VETERANS' AFFAIRS		
Personal Services	360,218	384,096

Other Operating		
Expense	112,575	189,328

The foregoing appropriations for the department of veteran's affairs include operating funds for the veterans' cemetery. Notwithstanding IC 10-5-1-8 staff employed for the operation and maintenance of the veterans' cemetery shall be selected as are all other state employees.

DISABLED
AMERICAN
VETERANS OF
WORLD WARS

Total Operating		
Expense	40,000	40,000

AMERICAN
VETERANS OF
WORLD WAR II,
KOREA, AND
VIETNAM

Total Operating		
Expense	30,000	30,000

VETERANS
OF FOREIGN WARS

Total Operating		
Expense	30,000	30,000

COMBAT VETERANS
CONSORTIUM

Total Operating		
Expense for the Biennium	20,000	

1997-260-9

SECTION 9. EDUCATION

	Year	Year
	1997-98	1998-99
EDUCATION		
A. HIGHER EDUCATION		
FOR INDIANA		
UNIVERSITY -		
INDUSTRIAL RESEARCH		
LIAISON PROGRAM		
Total Operating		
Expense	243,715	253,464
LOCAL GOVERNMENT		
ADVISORY		
COMMISSION		
Total Operating		
Expense	52,000	54,080
BLOOMINGTON		
CAMPUS		
Total Operating		
Expense	165,496,107	170,812,639
Fee Replacement	13,081,564	13,083,406

FOR INDIANA
UNIVERSITY -
REGIONAL
CAMPUSES

EAST

Total Operating
Expense

Allocation	6,301,354	6,514,888
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Fee Replacement

Allocation	1,318,473	1,319,363
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KOKOMO

Total Operating
Expense

Allocation	9,087,508	9,214,193
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Fee Replacement

Allocation	1,465,390	1,466,379
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NORTHWEST

Total Operating
Expense

Allocation	16,202,453	16,731,674
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Fee Replacement

Allocation	3,132,912	3,135,027
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SOUTH BEND

Total Operating
Expense

Allocation	18,103,506	18,743,457
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Fee Replacement

Allocation	3,884,265	3,886,887
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SOUTHEAST

Total Operating
Expense

Allocation	12,995,614	13,836,275
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Fee Replacement

Allocation	3,025,215	3,027,257
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TOTAL

APPROPRIATION -

Regional

Campuses	75,516,690	77,875,400
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FOR INDIANA
UNIVERSITY-PURDUE
UNIVERSITY AT
INDIANAPOLIS
(IUPUI)

HEALTH DIVISIONS

Total Operating
Expense

Allocation	77,700,329	80,253,013
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Fee Replacement

Allocation	3,020,525	3,020,984
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FOR INDIANA
UNIVERSITY - REGIONAL

MEDICAL CENTERS

EVANSVILLE

Total Operating
Expense

Allocation	1,312,064	1,355,099
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FORT WAYNE

Total Operating
Expense

Allocation	1,207,015	1,246,605
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NORTHWEST

Total Operating
Expense

Allocation	1,714,730	1,770,973
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LAFAYETTE

Total Operating
Expense

Allocation	1,530,638	1,580,843
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MUNCIE

Total Operating
Expense

Allocation	1,376,292	1,421,434
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SOUTH BEND

Total Operating
Expense

Allocation	1,276,347	1,318,211
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TERRE HAUTE

Total Operating
Expense

Allocation	1,521,682	1,571,593
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The Indiana University school of medicine shall submit to the Indiana commission for higher education before May 15 of each year an accountability report containing data on the number of medical school graduates who entered primary care physician residencies in Indiana from the school's most recent graduating class.

GENERAL ACADEMIC

DIVISIONS

Total Operating
Expense

Allocation	67,338,856	71,144,782
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Fee Replacement

Allocation	12,067,516	12,069,353
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TOTAL

APPROPRIATION -

IUPUI	170,065,994	176,752,890
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Transfers of allocations between campuses to correct for errors in allocation among the campuses of Indiana University can be made by the institution with the approval of the commission for higher education and the budget agency. Indiana University shall maintain current operations at all statewide medical education sites.

FOR INDIANA

UNIVERSITY -

OPTOMETRY BOARD		
EDUCATION FUND		
Total Operating		
Expense	29,000	1,500
CHEMICAL TEST		
TRAINING		
Total Operating		
Expense	609,001	633,361
INSTITUTE FOR THE		
STUDY OF		
DEVELOPMENTAL		
DISABILITIES		
Total Operating		
Expense	2,353,814	2,447,967
GEOLOGICAL SURVEY		
Total Operating		
Expense	2,873,260	2,988,190
FOR PURDUE		
UNIVERSITY - WEST		
LAFAYETTE CAMPUS		
Total Operating		
Expense	198,005,111	205,707,921
Fee Replacement	21,052,590	18,441,700
FOR PURDUE		
UNIVERSITY -		
REGIONAL		
CAMPUSES		
CALUMET		
Total Operating		
Expense		
Allocation	21,983,856	23,244,564
Fee Replacement		
Allocation	1,778,298	1,792,299
NORTH CENTRAL		
Total Operating		
Expense		
Allocation	7,622,361	7,818,803
Fee Replacement		
Allocation	2,128,998	2,808,280
TOTAL		
APPROPRIATION -		
Regional		
Campuses	33,513,513	35,663,946
FOR INDIANA		
UNIVERSITY -		
PURDUE		
UNIVERSITY AT		
FORT WAYNE		
(IUPUFW)		
Total Operating		
Expense	25,759,718	26,752,797

Fee Replacement	4,445,761	4,007,378
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Transfers of allocations between campuses to correct for errors in allocation among the campuses of Purdue University can be made by the institution with the approval of the commission for higher education and the budget agency.

FOR PURDUE
UNIVERSITY -

COUNTY
AGRICULTURAL
EXTENSION
EDUCATORS

Total Operating Expense	4,167,272	4,333,963
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ANIMAL DISEASE
DIAGNOSTIC
LABORATORY
SYSTEM

Total Operating Expense	2,849,627	2,963,612
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The above appropriations shall be used to fund the animal disease diagnostic laboratory system (ADDL), which consists of the main ADDL at West Lafayette, the bangs disease testing service at West Lafayette, and the southern branch of ADDL (SIPAC) in Dubois County. The above appropriations are in addition to any user charges that may be established and collected pursuant to IC 15-2.1-5-6. Notwithstanding IC 15-2.1-5-5, the trustees of Purdue University may approve reasonable charges for testing for pseudorabies.

AGRICULTURAL
RESEARCH AND
EXTENSION -
CROSSROADS

Total Operating Expense	6,781,880	7,053,155
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STATEWIDE
TECHNOLOGY

Total Operating Expense	4,807,845	5,466,579
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NORTH CENTRAL -
VALPO NURSING
PARTNERSHIP

Total Operating Expense	96,790	100,661
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UNIVERSITY-BASED
BUSINESS ASSISTANCE

Total Operating Expense	1,040,000	1,081,600
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FOR INDIANA STATE
UNIVERSITY

Total Operating Expense	69,961,518	72,114,201
Fee Replacement	5,143,707	5,152,675

INSTITUTE ON RECYCLING		
Total Operating Expense	75,169	78,176
FOR UNIVERSITY OF SOUTHERN INDIANA		
Total Operating Expense	21,371,598	22,975,860
Fee Replacement	3,635,256	3,634,342
FOR BALL STATE UNIVERSITY		
Total Operating Expense	107,879,659	110,834,725
Fee Replacement	8,651,375	6,936,289
ACADEMY FOR SCIENCE, MATHEMATICS, AND HUMANITIES		
Total Operating Expense	3,952,111	4,197,119
FOR VINCENNES UNIVERSITY		
Total Operating Expense	27,628,088	27,825,636
Fee Replacement	2,985,820	2,992,953
FOR IVY TECH STATE COLLEGE		
Total Operating Expense	71,909,093	74,698,964
Fee Replacement	7,103,247	7,105,202
FOR THE INDIANA HIGHER EDUCATION TELECOMMUNICATION SYSTEM (IHETS)		
Total Operating Expense	6,343,969	6,707,728

The sums herein appropriated to Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, Ivy Tech State College, and the Indiana Higher Education Telecommunications System (IHETS) are in addition to all income of said institutions and IHETS respectively from all permanent fees and endowments, and from all land grants, fees, earnings, and receipts, including gifts, grants, bequests, and devises, and receipts from any miscellaneous sales from whatever source derived.

All such income and all such fees, earnings, and receipts on hand June 30, 1997, and all such income and fees, earnings, and receipts accruing thereafter are hereby appropriated to the boards of trustees or directors of the aforementioned institutions and IHETS and may be

expended for any necessary expenses of the respective institutions and IHETS, including university hospitals, schools of medicine, nurses' training school, school of dentistry, agricultural extension and experimental station. Provided, however, that such income, fees, earnings, and receipts may be used for land and structures only if approved by the governor and the budget agency.

The foregoing appropriations and allocations for fee replacement are for replacement of student fees deducted during the 1997-99 biennium to cover bond or lease-purchase principal, interest, and other obligations of debt costs of facility construction and acquisition for those projects authorized by the general assembly. These fee replacement appropriations and allocations shall be allotted by the budget agency after receipt of verification of payment of such debt cost expense.

The foregoing appropriations to Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, Ivy Tech State College, and IHETS include the employers' share of Social Security payments for university and IHETS employees under the public employees' retirement fund, or institutions covered by the Indiana state teachers' retirement fund. The funds appropriated also include funding for the employers' share of payments to the public employees' retirement fund and to the Indiana state teachers' retirement fund at a rate to be established by the retirement funds for both fiscal years, for each institution and IHETS employees covered by these retirement plans.

The treasurers of Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, and Ivy Tech State College shall, at the end of each three (3) month period, prepare and file with the auditor of state, a financial statement that shall show in total all revenues received from any source, together with a consolidated statement of disbursements for the same period, said statement to be in such form and such detail as directed by the budget director.

Said reports of the treasurer also shall contain in such form and in such detail as the governor and the budget agency may specify, complete information concerning receipts from all sources, together with any contracts, agreements, or arrangements with any federal agency, private foundation, corporation, or other entity from which such receipts accrue.

All such treasurers' reports shall be matters of public record, and shall include without limitation, a record of the purposes of any and all gifts and trusts with the sole exception of the names of those donors who request to remain anonymous.

Notwithstanding the provisions of IC 4-10-11, the auditor of state shall draw warrants to the treasurers of Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, and Ivy Tech State College on the basis of vouchers stating the total amount claimed against each fund and/or account, but not to exceed the legally made appropriations. The operating money may be claimed on the basis of twelve (12) equal installments to be claimed monthly starting in July and ending in June

of each fiscal year after allotment by the budget agency.

Notwithstanding the provisions of IC 4-12-1-14, for universities and colleges supported in whole or in part by state funds, grant applications and lists of applications need only be submitted upon request to the budget agency for review and approval or disapproval and, unless disapproved by the budget agency, federal grant funds may be requested and spent without approval by the budget agency. Each institution shall retain the applications for a reasonable period of time and submit a list of all grant applications, at least monthly, to the commission for higher education for informational purposes.

For all university special appropriations, a detailed itemization of intended expenditures, in such form as the governor and the budget agency may specify, shall be submitted to support the allotment request. All budget requests for university special appropriations shall be furnished in a like manner and as a part of the operating budgets of the state universities.

The trustees of Indiana University, the trustees of Purdue University, the trustees of Indiana State University, the trustees of University of Southern Indiana, the trustees of Ball State University, the trustees of Vincennes University, and the trustees of Ivy Tech State College, and the directors of IHETS are hereby authorized to accept federal grants, subject to IC 4-12-1.

Fee replacement funds are to be distributed as requested by each institution, on payment due dates, subject to available appropriations.

FOR THE MEDICAL
EDUCATION BOARD -
FAMILY PRACTICE
RESIDENCY FUND

Total Operating		
Expense	2,414,418	2,416,734

Of the foregoing appropriations for the medical education board-family practice residency fund, \$1,000,000 each year shall be used for grants for the purpose of improving family practice residency programs serving medically underserved areas.

MEDICAL
EDUCATION -
INTERN
RESIDENCY
PROGRAM

Total Operating		
Expense	1	1

FOR THE COMMISSION
FOR HIGHER
EDUCATION

Total Operating		
Expense	1,405,487	1,461,706

MIDWEST HIGHER
EDUCATION
COMMISSION
(MHEC)

Total Operating		
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Expense for the Biennium	120,386	
INDIANA CAREER AND POSTSECONDARY ADVANCEMENT CENTER		
Total Operating Expense	895,465	931,284
FOR THE DEPARTMENT OF ADMINISTRATION ANIMAL DISEASE AND DIAGNOSTIC LABORATORY LEASE RENTAL		
Total Operating Expense	1,078,770	1,078,770
FOR THE DEPARTMENT OF COMMERCE AVIATION TECHNOLOGY		
Total Operating Expense	1,086,440	1,085,485
FOR THE BUDGET AGENCY CORE 40 PROGRAM		
Total Operating Expense	824,250	824,250

All or part of this appropriation shall be allocated or transferred for core 40 initiatives to the department of education and the commission for higher education by the auditor of state, with the approval of the budget agency, after review by the budget committee of joint program recommendations made by the commission for higher education and the superintendent of public instruction.

PARTNERSHIPS FOR THE
ENHANCEMENT OF
POSTSECONDARY
PARTICIPATION

Total Operating Expense	1,400,000	500,000
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The above appropriation shall be used for the delivery of Indiana State University baccalaureate degree programs at Ivy Tech State College and Vincennes University locations through the Partnerships for the Enhancement of Postsecondary Participation (PEPP). Distributions shall be made upon the recommendation of the Indiana commission for higher education and with approval by the budget agency after review by the budget committee.

QUALITY IMPROVEMENT

Total Operating Expense	15,786,692	32,268,805
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Allocations and transfers of the preceding appropriations for quality improvement shall be made to the respective institutions' operating accounts for one (1) time technology investments and other one (1) time improvements by the auditor of state with the approval of the

budget agency, based on recommendations made by the commission for higher education.

SOUTHEAST
INDIANA
EDUCATION
SERVICES

Total Operating Expense	1,330,249	1,345,715
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The above appropriation for southeast Indiana education services may be expended with the approval of the budget agency after review by the commission for higher education and the budget committee.

SOUTH CENTRAL EDUCATIONAL
ALLIANCE BEDFORD
SERVICE AREA
EXPANSION PROJECT

Total Operating Expense for the Biennium	487,050
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FOR THE STATE
STUDENT
ASSISTANCE
COMMISSION

Total Operating Expense	1,262,366	1,312,860
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DISTRIBUTION -

Freedom of Choice Grants	19,020,725	19,591,347
Higher Education Award Program	59,159,980	60,934,779
21st Century Scholar Awards	5,689,656	6,989,656

The above appropriation for 21st century scholar awards may be augmented from the state general fund by the budget director with the approval of the governor, after review by the budget committee.

Hoosier Scholar Program	420,000	420,000
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For the higher education awards and freedom of choice grants made for the 1997-99 biennium, the following guidelines shall be used, notwithstanding current administrative rule or practice:

(1) Financial Need: For purposes of these awards, financial need shall be limited to actual undergraduate tuition and fees for the prior academic year as established by the commission.

(2) Maximum Base Award: The maximum award shall not exceed the lesser of:

(A) eighty percent (80%) of actual prior academic year undergraduate tuition and fees; or

(B) eighty percent (80%) of the sum of the highest prior academic year undergraduate tuition and fees at any public institution of higher education and the lowest appropriation per full-time equivalent (FTE) undergraduate student at any

public institution of higher education.

(3) Minimum Award: No actual award shall be less than \$20.

(4) Award Size: A student's maximum award shall be reduced one (1) time:

(A) for dependent students, by the expected contribution from parents based upon information submitted on the financial aid application form; and

(B) for independent students, by the expected contribution derived from information submitted on the financial aid application form.

(5) Award Adjustments: The maximum base award, may be adjusted by the commission, for any eligible recipient who fulfills college preparation requirements defined by the commission.

(6) Pro Rata Adjustment: If the dollar amounts of eligible awards exceed appropriations and program reserves, all awards will be adjusted on a pro rata basis by reducing the percentage of a maximum award under (2)(A) or (2)(B) in this section.

For the Hoosier scholar program for the 1997-99 biennium, each award shall not exceed five hundred dollars (\$500) and shall be made available for one (1) year only. Receipt of this award shall not reduce any other award received under any state funded student assistance program.

PART-TIME GRANT

PROGRAM	5,000,000	5,000,000
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The maximum grant that an applicant may receive for a particular academic term shall be established by the commission but shall in no case be greater than a grant for which an applicant would be eligible under IC 20-12-21 if the applicant were a full-time student.

NURSING

SCHOLARSHIP

PROGRAM

Total Operating Expense	404,786	405,851
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MINORITY TEACHER

SCHOLARSHIP

FUND

Total Operating Expense	382,073	382,177
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COLLEGE WORK

STUDY PROGRAM

Total Operating Expense	789,667	794,569
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21ST CENTURY

ADMINISTRATION

Total Operating Expense	1,551,163	1,883,374
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B. ELEMENTARY AND

SECONDARY

EDUCATION

FOR THE DEPARTMENT

OF EDUCATION -
ADMINISTRATION/
SERVICES
SUPERINTENDENT'S
OFFICE

Personal Services	543,441	544,630
Other Operating Expense	1,131,115	1,162,670

RESEARCH AND
DEVELOPMENT
PROGRAMS

Personal Services	71,516	71,636
Other Operating Expense	308,715	308,715

PUBLIC TELEVISION
DISTRIBUTION

Total Operating Expense	2,215,000	2,215,000
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These appropriations are for grants for public television. The Indiana Public Broadcasting Stations, Inc. shall submit a distribution plan for the eight (8) Indiana public education television stations that shall be approved by the budget agency and reviewed by the budget committee. The above appropriation includes the costs of transmission for the "GED-on-TV" program.

DEPUTY
SUPERINTENDENT'S
OFFICE

Personal Services	378,128	378,973
Other Operating Expense	272,060	272,060

RILEY HOSPITAL

Total Operating Expense	30,000	30,000
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ADMINISTRATION/
FINANCIAL
MANAGEMENT

CENTER FOR
ADMINISTRATION
AND FINANCIAL
MANAGEMENT

Personal Services	1,701,325	1,705,089
Other Operating Expense	602,919	602,919

SCHOOL TRAFFIC
SAFETY

Personal Services	196,935	197,383
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Other Operating		
Expense	40,742	40,742

The foregoing appropriations for school traffic safety are from the motor vehicle highway fund. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the fund.

MOTORCYCLE
OPERATOR SAFETY
EDUCATION FUND

Personal		
Services	102,765	102,999
Other Operating		
Expense	443,200	443,200

The foregoing appropriations for the motorcycle operator safety education fund are from the safety education fund created by IC 20-10.1-7-14.

SCHOOL
ASSESSMENT
CENTER FOR
SCHOOL
ASSESSMENT

Personal		
Services	242,669	243,209
Other Operating		
Expense	73,611	73,611

ACCREDITATION
SYSTEM

Personal		
Services	386,638	387,427
Other Operating		
Expense	588,433	588,433

COMMUNITY
RELATIONS AND
SPECIAL
POPULATIONS

CENTER FOR
COMMUNITY
RELATIONS
AND SPECIAL
POPULATIONS

Personal		
Services	228,171	228,686
Other Operating		
Expense	64,312	64,312

SPECIAL
EDUCATION (S-5)

Other Operating		
Expense	26,500,000	30,500,000

The foregoing appropriations for special education are made pursuant to IC 20-1-6-19.

PROJECT SET

Other Operating Expense	91,065	91,065
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GED-ON-TV PROGRAM

Other Operating Expense	270,000	270,000
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The foregoing appropriation is for grants to provide GED-ON-TV programming. The GED-ON-TV Program shall submit for review by the budget committee an annual report on utilization of this appropriation.

SPECIAL EDUCATION

EXCISE

Personal Services	309,807	310,493
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The foregoing appropriations for special education are from alcoholic beverage excise tax funds, and include the appropriation provided in IC 20-1-6-10. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the fund.

SCHOOL
IMPROVEMENT AND
PERFORMANCE
CENTER FOR
SCHOOL
IMPROVEMENT AND
PERFORMANCE

Personal Services	1,335,910	1,338,735
Other Operating Expense	1,386,820	1,386,820

VOCATIONAL
EDUCATION

Personal Services	1,080,289	1,082,686
Other Operating Expense	230,630	230,630

ADVANCED
PLACEMENT
PROGRAM

Other Operating Expense	598,050	598,050
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The above appropriation for the advanced placement program is to provide funding for students of accredited public and nonpublic schools.

GEOGRAPHY
EDUCATION
TRAINING

Total Operating Expense	49,990	49,990
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ACADEMIC
COMPETITION

Total Operating		
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Expense	56,090	56,090
PROFESSIONAL		
DEVELOPMENT		
PRINCIPAL		
LEADERSHIP		
ACADEMY		
Personal		
Services	240,116	240,448
Other Operating		
Expense	262,157	262,157
JAPANESE/		
CHINESE		
INITIATIVES		
Total Operating		
Expense	236,500	236,500
FOR THE DEPARTMENT		
OF EDUCATION -		
LOCAL SCHOOL		
FUNDING		
SUPERINTENDENT'S		
OFFICE		
EDUCATIONAL		
SERVICE		
CENTERS		
Total Operating		
Expense	2,025,664	2,025,664

No appropriation made for an education service center shall be distributed to the administering school corporation of the center unless each participating school corporation of the center contracts to pay to the center at least \$2.50 per student for fiscal year 1997-98 based on the school corporation's ADM count as reported for school aid distribution in the fall of 1996, and at least \$2.50 per student for fiscal year 1998-99, based on the school corporation's ADM count as reported for school aid distribution beginning in the fall of 1997. Prior to notification of education service centers of the formula and components of the formula for distributing funds for education service centers, review and approval of the formula and components must be made by the budget agency.

ADMINISTRATION/
FINANCIAL
MANAGEMENT
TRANSFER
TUITION I
(STATE
EMPLOYEES'
CHILDREN)

Total Operating		
Expense	230,000	230,000

The foregoing appropriations for transfer tuition (state employees' children) are made pursuant to IC 20-8.1-6.1-6.

TRANSFER

TUITION II
(MENTAL HEALTH)

Total Operating		
Expense	1,200,000	1,200,000

The foregoing appropriations for transfer tuition II (mental health) are made pursuant to IC 20-8.1-6.1-5.

DISTRESSED
SCHOOLS
DISTRIBUTION

Total Operating		
Expense	50,000	50,000

TEACHERS'
SOCIAL
SECURITY
AND RETIREMENT
DISTRIBUTION

Total Operating		
Expense	2,426,292	2,426,292

The foregoing appropriations shall be distributed by the department of education on a monthly basis and in approximately equal payments to special education cooperatives, area vocational schools, and other governmental entities that received state teachers' Social Security distributions for certified education personnel (excluding the certified education personnel funded through federal grants) during the fiscal year beginning July 1, 1992, and ending June 30, 1993. And for these units under the Indiana state teacher's retirement fund, the amount they received during the 1996-97 state fiscal year for teachers' retirement. If the total amount to be distributed is greater than the total appropriation, the department of education shall reduce each entity's distribution proportionately.

DISTRIBUTION
FOR TUITION
SUPPORT

Other Operating		
Expense	2,693,200,000	2,855,400,000

The foregoing appropriations for distribution for tuition support are to be distributed for tuition support, special education programs, vocational education programs, and at-risk programs in accordance with a statute enacted for this purpose during the 1997 session of the general assembly.

The appropriation for each state fiscal year includes the appropriation of \$10,000,000 provided by IC 6-3-7-3. Of the appropriation, the following amounts are appropriated from the state general fund: \$1,539,862,850 for fiscal year 1997-98 and \$1,620,962,850 for fiscal year 1998-99. The following amounts are appropriated from the property tax replacement fund created by IC 6-1.1-21: \$1,153,337,150 for fiscal year 1997-98 and \$1,234,437,150 for fiscal year 1998-99. If the above appropriations for distribution for tuition support are more than are required under this SECTION, one-half (1/2) of any excess shall revert to the state general fund, and one-half (1/2) of any excess shall revert to the property tax

replacement fund.

The above appropriations for tuition support shall be made each calendar year under a schedule set by the budget agency and approved by the governor, provided that the schedule shall provide for at least twelve (12) payments, that one (1) payment shall be made at least every forty (40) days, and that the aggregate of such payments in each calendar year shall equal the amount required under the statute enacted for this purpose referred to above.

**DISTRIBUTION
FOR
TRANSPORTATION**

Total Operating		
Expense	30,525,000	30,525,000

The distributions for transportation shall be made to each local school corporation in accordance with IC 21-3-3.1 and any pertinent rules.

**ADA FLAT GRANT
DISTRIBUTION**

Total Operating		
Expense	35,500,000	35,725,000

Distribution to local school corporations shall be based on average daily attendance. The foregoing appropriations for the ADA flat grant distribution account include for each fiscal year the appropriation of the common school fund interest balance. The remainder of the above appropriations are provided from the state general fund.

**DISTRIBUTION
FOR SUMMER
SCHOOL**

Other Operating		
Expense	15,360,000	15,860,000

It is the intent of the 1997 general assembly that the above appropriations for summer school shall be the total allowable expenditure for such program. Therefore, if the expected disbursements are anticipated to exceed the total appropriation for that state fiscal year, then the department of education shall reduce the distributions proportionately.

**EARLY INTERVENTION
PROGRAM**

Other Operating		
Expense	4,000,000	4,000,000

The above appropriations for early intervention program are for grants to local school corporations for grant proposals for early intervention programs, including reading recovery.

**SCHOOL LIBRARY
PRINTED MATERIALS
GRANTS**

Other Operating		
Expense for the		
Biennium	4,000,000	

The above appropriation for school library printed materials grants shall be used for the state match for grants to school corporations for

the purpose of purchasing library printed materials. A school corporation that receives a grant must provide money in an amount equal to the amount provided in the grant.

ADULT EDUCATION
DISTRIBUTION

Total Operating		
Expense	13,500,000	13,500,000

It is the intent of the 1997 general assembly that the above appropriations for adult education shall be the total allowable expenditure for such program. Therefore, if the expected disbursements are anticipated to exceed the total appropriation for a state fiscal year, the department of education shall reduce the distributions proportionately.

NATIONAL SCHOOL
LUNCH PROGRAM

Total Operating		
Expense	5,400,000	5,400,000

MARION COUNTY
DESEGREGATION
COURT ORDER

Total Operating		
Expense	15,100,000	15,100,000

The foregoing appropriations for court ordered desegregation costs are made pursuant to the United States District Court for the Southern District of Indiana, No. IP 68-C-225-S. If the sums herein appropriated are insufficient to enable the state to meet its obligations, then there are hereby appropriated from the state general fund such further sums as may be necessary for such purpose.

FORT WAYNE
DESEGREGATION
COURT ORDER

Total Operating		
Expense	2,400,000	2,400,000

The foregoing appropriations for court ordered desegregation costs are made pursuant to the United States District Court for the Northern District of Indiana, Civil No. 86CVO325AS.

TEXTBOOK
REIMBURSEMENT

Personal		
Services	29,836	29,899
Other Operating		
Expense	12,538,142	12,538,142

TRANSPORTATION
FOR SPECIAL AND
VOCATIONAL
EDUCATION

Total Operating		
Expense	8,570,000	8,570,000

The distribution of these appropriations shall be made in accordance with IC 21-3-3.1.

SCHOOL ASSESSMENT

TESTING/
REMEDICATION

Other Operating Expense	26,842,992	26,842,992
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Prior to notification of local school corporations of the formula and components of the formula for distributing funds for remediation, review and approval of the formula and components shall be made by the budget agency. With the approval of the governor and the budget agency, the above appropriations for school assessment testing/remediation may be augmented from revenues accruing to the secondary market sale fund established by IC 20-12-21.2-10.

PERFORMANCE BASED
AWARDS

Personal Service	47,352	47,459
Other Operating Expense	3,202,648	3,202,541

The foregoing appropriation shall be distributed after review by the budget committee and approval by the budget agency.

COMMUNITY
RELATIONS AND
SPECIAL
POPULATIONS
SPECIAL EDUCATION
PRESCHOOL

Total Operating Expense	21,660,819	23,990,050
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The above appropriations shall be distributed to guarantee a minimum of \$2,750 per child enrolled in special education preschool programs from state and local sources in school corporations that levy a \$0.01 per \$100 assessed valuation tax rate for this purpose. It is the intent of the 1997 general assembly that the above appropriations for special education preschool shall be the total allowable expenditure for such program. Therefore, if the expected disbursements are anticipated to exceed the total appropriation for that state fiscal year, then the department of education shall reduce the distributions proportionately.

SCHOOL IMPROVEMENT
AND PERFORMANCE
GIFTED AND
TALENTED
EDUCATION
PROGRAM

Personal Services	187,407	187,792
Other Operating Expense	6,656,178	6,656,178

DISTRIBUTION
FOR ADULT
VOCATIONAL
EDUCATION

Total Operating Expense	250,000	250,000
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The distribution for adult vocational education programs shall be made in accordance with the state plan for vocational education.

PRIMETIME

Personal Services	181,932	183,303
Other Operating Expense	95,578,841	95,578,841

COMPUTER

LEARNING AND

TRAINING

Personal Services	303,918	304,429
Other Operating Expense	1,382,410	1,382,410

INNOVATIVE SCHOOL

IMPROVEMENTS

Personal Services	98,503	98,663
Other Operating Expense	754,805	754,805

Expenditures for this program shall be made only with the approval of both the governor and the superintendent of public instruction. Notwithstanding the provisions of IC 20-10.1-22-2 and IC 20-10.1-26-2(b), appropriations for research and development and innovative school improvements do revert at the end of the fiscal year.

DRUG FREE

SCHOOLS

Personal Services	50,318	50,384
Other Operating Expense	20,049	20,049

EDUCATIONAL

TECHNOLOGY

PROGRAM AND

FUND (INCLUDING

4R'S TECHNOLOGY

GRANT PROGRAM)

Total Operating Expense	4,000,000	4,000,000
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Of the foregoing appropriation \$3,000,000 shall be allocated to the buddy system during the biennium. In making grants under the educational technology program, the department shall give consideration to a variety of educational technologies and to enhancing educational productivity. Of the foregoing appropriation an amount shall be allocated for the development of community networks and information networks and the operation of the office of the special assistant to the superintendent of public instruction for technology. Expenditures from this fund shall be made only with the approval of the governor and superintendent of public instruction.

TECH PREP

DISTRIBUTION

Other Operating Expense	1,000,000	1,000,000
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The above appropriations for tech prep distribution are to be used for grants to school corporations to assist with implementation of tech prep programs.

PROFESSIONAL
DEVELOPMENT
DISTRIBUTION

Other Operating Expense	500,000	500,000
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The above appropriations for professional development are to be used for professional development grants to assist local school corporations.

ALTERNATIVE
SCHOOLS

Total Operating Expense for the Biennium	15,000,000	
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C. OTHER LOCAL SCHOOL FUNDING
FOR THE INDIANA STATE
TEACHERS'

RETIREMENT FUND

PENSION FUND

CONTRIBUTIONS	277,000,000	296,000,000
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POSTRETIREMENT

PENSION

INCREASES	41,200,000	40,700,000
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The appropriations for postretirement pension increases are made for those benefits and adjustments provided in IC 21-6.1-6.

PENSION

STABILIZATION

FUND

Other Operating Expense	75,000,000	75,000,000
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D. OTHER EDUCATION
FOR THE

PROFESSIONAL

STANDARDS BOARD

ADMINISTRATION

Personal

Services	1,273,786	1,309,379
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Other Operating

Expense	2,765,312	2,936,358
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Each mentor teacher is entitled to a maximum annual stipend of \$600 to be paid from the foregoing appropriations.

There is created the professional standards board licensing fund to be administered by the professional standards board. The fund shall consist of fee revenues collected under the provisions of IC 20-1-1.4-7. Money in the fund does not revert at the end of the state fiscal year. Money in the fund is continuously appropriated for use by the board for administrative expenses in relation to carrying out its duties under the

provisions of IC 20-1-1.4-7.

The above appropriations for professional standards board administration are in addition to the appropriation made to the professional standards licensing fund established in this SECTION.

FOR THE EDUCATION

EMPLOYMENT

RELATIONS

BOARD

Personal		
Services	686,361	687,699
Other Operating		
Expense	68,054	68,054

PUBLIC EMPLOYEE

RELATIONS BOARD

Personal		
Services	35,000	35,000

FOR THE INDIANA STATE

TEACHERS'

RETIREMENT FUND -

ADMINISTRATION

Personal		
Services	4,184,538	1,246,979
Other Operating		
Expense	1,351,207	851,207

The amounts above appropriated are to be paid from the investment earnings of the Indiana state teachers' retirement fund. With the approval of the governor and the budget agency, said sums may be augmented from the investment earnings.

FOR THE STATE

LIBRARY

Personal		
Services	2,293,428	2,298,082
Other Operating		
Expense	880,348	880,348

COOPERATIVE

LIBRARY SERVICES

AUTHORITY

Total Operating		
Expense	2,408,848	2,408,848

ACADEMY OF SCIENCE

Total Operating		
Expense	8,811	8,811

DISTRIBUTION TO

PUBLIC LIBRARIES

Other Operating		
Expense	607,936	607,936

The foregoing appropriations for distribution to public libraries shall be distributed among the public libraries of the state of Indiana pursuant to IC 4-23-7.1. However, a public library district that does not provide for the issuance of library cards free of charge or for a fee to all individuals who reside in the county in which that public library district

is located shall not be considered an eligible public library district in determining the amounts to be distributed under IC 4-23-7.1 and is not entitled to a distribution under IC 4-23-7.1.

FOR THE ARTS

COMMISSION

Personal		
Services	335,524	336,275
Other Operating		
Expense	2,753,905	2,753,905

FOR THE HISTORICAL

BUREAU

Personal		
Services	337,895	338,629
Other Operating		
Expense	57,405	57,405

HISTORICAL MARKER

PROGRAM

Total Operating		
Expense for		
the Biennium	25,000	

FOR THE COMMISSION

ON PROPRIETARY

EDUCATION

Personal		
Services	391,410	392,264
Other Operating		
Expense	70,767	70,767

1997-260-10

SECTION 10. The following allocations of federal funds available for vocational and technical education under the Carl D. Perkins Vocational and Applied Technology Education Act of 1990 (20 U.S.C. 2301, et seq. for the State Vocational and Applied Technology Education Program) (20 U.S.C. 2394(b) for the Technology Preparation Education Program). These funds shall be received by the department of workforce development, commission on vocational and technical education, and shall be allocated by the budget agency after consultation with the commission on vocational and technical education, the department of education, the commission for higher education, and the department of correction. Funds shall be allocated to these agencies in accordance with the allocations specified below:

	Year 1997-98	Year 1998-99
ADMINISTRATION		
Personal		
Services	448,227	448,227
Other Operating		
Expense	128,076	128,076
STATE PROGRAMS AND LEADERSHIP		
Total Operating		

Expense		
Allocation	2,020,640	2,020,640
SINGLE PARENT, DISPLACED HOMEMAKERS, AND SINGLE PREGNANT WOMEN		
Total Operating Expense		
Allocation	1,782,918	1,782,918
SEX EQUITY		
Total Operating Expense		
Allocation	713,168	713,168
CRIMINAL OFFENDERS		
Total Operating Expense		
Allocation	251,202	251,202
SECONDARY VOCATIONAL PROGRAMS		
Total Operating Expense		
Allocation	11,725,097	11,725,097
POSTSECONDARY VOCATIONAL PROGRAMS		
Total Operating Expense		
Allocation	6,716,389	6,716,389
TECHNOLOGY - PREPARATION EDUCATION		
Total Operating Expense		
Allocation	2,415,121	2,415,121

The allocation to the department of correction for criminal offenders shall be distributed for program services for criminal offenders.

The following allocations of federal funds available for vocational education under the federal Job Training Partnership Act (29 U.S.C. 1533) are made pursuant to IC 20-1-18.3-15. Notwithstanding IC 20-1-18.3-14, these federal funds shall be received by the department of workforce development, division of employment and training services, and distributed in accordance with the allocation specified below:

FOR THE DEPARTMENT
OF WORKFORCE
DEVELOPMENT,
DIVISION OF
EMPLOYMENT AND

TRAINING SERVICES:

EDUCATION

COORDINATION

Total Operating

Expense

Allocation	265,544	265,544
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ADMINISTRATION

Total Operating

Expense

Allocation	180,000	180,000
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EDUCATION

SERVICES

Total Operating

Expense

Allocation	1,274,615	1,274,615
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1997-260-11

SECTION 11. In accordance with IC 20-1-18.3, the budget agency, with the advice of the commission on vocational and technical education and the budget committee, may augment or reduce an allocation of federal funds made under SECTION 10 of this act.

1997-260-12

SECTION 12. Utility bills for the month of June, travel claims covering the period June 16 to June 30, payroll for the period of the last half of June, any interdepartmental bills for supplies or services for the month of June, and any other miscellaneous expenses incurred during the period June 16 to June 30 shall be charged to the appropriation for the succeeding year. No interdepartmental bill shall be recorded as a refund of expenditure to any current year allotment account for supplies or services rendered or delivered at any time during the preceding June period.

1997-260-13

SECTION 13. The budget agency, pursuant to IC 4-10-11, IC 4-12-1-13, and IC 4-13-1, in cooperation with the Indiana department of administration, may fix the amount of reimbursement for traveling expenses (other than transportation) for travel within the limits of the state of Indiana. This amount may not exceed actual lodging and miscellaneous expenses incurred; a person in travel status, as defined by the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency, is entitled to a meal allowance not to exceed during any twenty-four (24) hour period the standard meal allowances established by the federal Internal Revenue Service.

All appropriations provided by this act or any other statute, for traveling and hotel expenses for any department, officer, agent, employee, person, trustee, or commissioner are to be used only for travel within the state of Indiana, unless those expenses are incurred in traveling outside the state of Indiana on trips that previously have received approval as required by the state travel policies and

procedures established by the Indiana department of administration and approved by the budget agency. With the required approval, a reimbursement for out-of-state travel expenses may be granted in an amount not to exceed actual lodging and miscellaneous expenses incurred; a person in travel status is entitled to a meal allowance not to exceed during any twenty-four (24) hour period the standard meal allowances established by the federal Internal Revenue Service for properly approved travel within the continental United States and a minimum of \$50 during any twenty-four (24) hour period for properly approved travel outside the continental United States. However, while traveling in Japan the minimum meal allowance shall not be less than \$90 for any twenty-four (24) hour period. While traveling in Korea and Taiwan, the minimum meal allowance shall not be less than \$85 for any twenty-four (24) hour period; while traveling in Singapore, China, Great Britain, Germany, the Netherlands, and France, the minimum meal allowance shall not be less than \$65 for any twenty-four (24) hour period.

In the case of the state supported institutions of postsecondary education, approval for out-of-state travel may be given by the chief executive officer of the institution, or the chief executive officer's authorized designee, for the chief executive officer's respective personnel.

Before reimbursing overnight travel expenses, the auditor of state shall require documentation as prescribed in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency. No appropriation from any fund may be construed as authorizing the payment of any sum in excess of the standard mileage rates for personally owned transportation equipment established by the federal Internal Revenue Service when used in the discharge of state business. The state agency may adopt policies and procedures relative to the reimbursement of travel and moving expenses of new state employees and the reimbursement of travel expenses of prospective employees who are invited to interview with the state.

1997-260-14

SECTION 14. The salary per diem of members of boards, commissions, and councils who are entitled to a salary per diem is \$50 per day. However, members of boards, commissions, or councils who receive an annual or a monthly salary paid by the state are not entitled to the salary per diem provided in IC 4-10-11-2.1.

1997-260-15

SECTION 15. No payment for personal services shall be made by the auditor of state unless the payment has been approved by the budget agency.

1997-260-16

SECTION 16. No warrant for operating expenses, capital outlay, or fixed charges shall be issued to any department or an institution unless the receipts of the department or institution have been deposited

into the state treasury for the month. However, if a department or an institution has more than \$10,000 in daily receipts, the receipts shall be deposited into the state treasury daily.

1997-260-17

SECTION 17. In case of loss by fire or any other cause involving any state institution or department, the proceeds derived from the settlement of any claim for the loss shall be deposited in the state treasury, and the amount deposited is hereby reappropriated to the institution or department for the purpose of replacing the loss. If it is determined that the loss shall not be replaced, any funds received from the settlement of a claim shall be deposited into the state general fund.

1997-260-18

SECTION 18. If an agency has computer equipment in excess of the needs of that agency, then the excess computer equipment may be sold under the provisions of surplus property sales, and the proceeds of the sale or sales shall be deposited in the state treasury. The amount so deposited is hereby reappropriated to that agency for other operating expenses of the then current year, if approved by the director of the budget agency.

1997-260-19

SECTION 19. If any state penal or benevolent institution other than the Indiana state prison, Pendleton correctional facility, and Putnamville correctional facility, shall, in the operation of its farms, produce products or commodities in excess of the needs of the institution, the surplus may be sold through the division of industries and farms, the director of the supply division of the Indiana department of administration, or both. The proceeds of any such sale or sales shall be deposited in the state treasury. The amount deposited is hereby reappropriated to the institution for total operating expenses of the then current year, if approved by the director of the budget agency.

The exchange between state penal and benevolent institutions of livestock for breeding purposes only is hereby authorized at valuations agreed upon between the superintendents or wardens of the institutions.

Capital outlay expenditures may be made from the institutional industries and farms revolving fund if approved by the budget agency and the governor.

1997-260-20

SECTION 20. This act does not authorize any rehabilitation and repairs to any state buildings, or that any obligations be incurred for lands and structures, without the prior approval of the budget agency. This SECTION does not apply to contracts for the construction or maintenance of roads and bridges, to the acquisition of rights-of-way for roads or bridges, or to the state universities supported in whole or in part by state funds.

1997-260-21

SECTION 21. Whenever it is provided by statute that any state

agency shall receive an annual appropriation for any funds in the state treasury not otherwise appropriated for the operating expenses of that agency, and an amount is appropriated by this act for the operating expenses of that agency, the amount appropriated in this act includes the annual appropriation fixed by law. However, this SECTION does not apply to any act passed by the 110th general assembly that creates a new department, division, board, commission, or office of state government, or adds an appropriation by an amendment for additional duties.

1997-260-22

SECTION 22. The balance of any appropriation or funds heretofore placed or remaining to the credit of any division of the state of Indiana, and any appropriation or funds provided in this act placed to the credit of any division of the state of Indiana, the powers, duties, and functions whereof are assigned and transferred to any department for salaries, maintenance, operation, construction, or other expenses in the exercise of such powers, duties, and functions, shall be transferred to the credit of the department to which such assignment and transfer is made, and the same shall be available for the objects and purposes for which appropriated originally.

1997-260-23

SECTION 23. The director of the division of procurement of the Indiana department of administration, or any other person or agency authorized to make purchases of equipment, shall not honor any requisition for the purchase of an automobile that is to be paid for from any appropriation made by this act or any other act, unless the following facts are shown to the satisfaction of the director of the budget agency and the director of the division of procurement of the Indiana department of administration, or any other agency or person authorized to make state purchases:

(1) In the case of an elected state officer, it shall be shown that the duties of the office require driving about the state of Indiana in the performance of official duty.

(2) In the case of department or commission heads, it shall be shown that the statutory duties imposed in the discharge of the office require traveling a greater distance than one thousand (1,000) miles each month or that they are subject to official duty call at all times.

(3) In the case of employees, it shall be shown that the major portion of the duties assigned to the employee require travel on state business in excess of one thousand (1,000) miles each month, or the vehicle is identified by the agency as an integral part of the job assignment. In computing the number of miles required to be driven by a department head or an employee, the distance between the individual's home and office or designated official station is not to be considered as a part of the total. Department heads shall annually submit justification for the continued assignment of each vehicle in their department, which shall be reviewed by the director of the budget agency and the

commissioner of the Indiana department of administration. There shall be an insignia permanently affixed on each side of all state owned cars, designating the cars as being state owned. However, this requirement does not apply to state owned cars driven by elected state officials or in cases where the budget agency determines that affixing insignia on state owned cars would hinder or handicap the persons driving the cars in the performance of their official duties.

1997-260-24

SECTION 24. When budget agency approval or review is required under this act, the budget agency may refer to the budget committee any budgetary or fiscal matter related to that approval or review, for which it would like an advisory recommendation. If a matter is referred to the budget committee, it shall hold hearings and take any actions authorized by IC 4-12-1-11, and it shall make an advisory recommendation to the budget agency.

1997-260-25

SECTION 25. The governor of the state of Indiana is solely authorized to accept on behalf of the state any and all federal funds available to the state of Indiana. Federal funds received under this SECTION are appropriated for their purposes, subject to allotment by the budget agency. The provisions of this SECTION and all other SECTIONS concerning the acceptance, disbursement, review, and approval of any grant, loan, or gift made by the federal government or any other source to the state or its agencies and political subdivisions shall apply, notwithstanding any other law.

1997-260-26

SECTION 26. Federal funds received as revenue by a state agency or department are not available to the agency or department for expenditure until allotment has been made by the budget agency under IC 4-12-1-12.

1997-260-27

SECTION 27. A contract or an agreement for personal services or other services may not be entered into by any agency or department of state government without the approval of the budget agency. Each demand for payment submitted by the agency or department to the auditor of state by claim voucher under such contracts or agreements shall be accompanied by a copy of the budget agency approval, and no payment shall be made by the auditor of state without such approval. This SECTION does not apply to any contract entered into by an agency or department of state government that is the result of a procurement under IC 4-13.4 (except personal service contracts under IC 4-13.4-5-1) or a public works contract under IC 4-13.6.

1997-260-28

SECTION 28. Except in those cases where a specific appropriation has been made to cover the payments for any of the following, the

auditor of state shall transfer, from the personal services appropriations for each of the various agencies and departments, necessary payments for Social Security, public employees' retirement, health insurance, life insurance, and any other similar payments directed by the budget agency.

1997-260-29

SECTION 29. Subject to SECTION 24 of this act as it relates to the budget committee, the budget agency with the approval of the governor may withhold allotments of any or all appropriations contained in this act for the 1997-99 biennium, if it is considered necessary to do so in order to prevent a deficit financial situation.

1997-260-30

SECTION 30. (a) The following appropriation is made in addition to those found in P.L.340-1995, SECTION 3, part D.

YEAR
1996-97

YEAR 2000 COMPUTER
CONTINGENCY FUND

Total Operating
Expense for
the Biennium

57,957,354

Of the foregoing year 2000 computer contingency fund appropriation, \$37,705,804 is appropriated from the state general fund and the remaining is appropriated as follows: (1) \$11,349,014 from the motor vehicle highway fund; (2) \$40,793 from the law enforcement training fund; (3) \$1,658,703 from the public employees' retirement fund; (4) \$20,735 from the Indiana state teachers' retirement fund; (5) \$274,996 from the public utility fund; (6) \$725,187 from the fire and building fund; and (7) \$1,209,600 from the pay phone fund. Included in the above appropriation, \$4,972,522 will be allocated from federal funds. With the approval of the governor, the budget agency may augment any of the appropriations from any of the dedicated funds; and, with the approval of the governor, the budget agency may augment the state general fund portion from unappropriated surplus. The foregoing year 2000 computer contingency fund appropriation is subject to allotment to departments, institutions, and state agencies by the budget agency with the approval of the governor. In determining how money from the year 2000 computer contingency fund is to be distributed, the state budget director, after consultation with the data processing oversight commission and the information services division of the department of administration, shall consider the needs of various state agencies to meet their computer needs to accurately reflect changes required by entering the year 2000.

Money in the account does not revert on June 30, 1999; however, it does revert at the end of the 1999-2001 biennium.

(b) The following appropriation is made in addition to those found in P.L.340-1995, SECTION 9, part A.

FOR THE UNIVERSITY
OF SOUTHERN

INDIANA

Fee Replacement 89,754

(c) Notwithstanding any other provision of P.L.340-1995, SECTION 9, Part A, \$1,810,000 of the appropriation made to the budget agency for the new program start up fund does not revert on June 30, 1997. The money is available for equipment purchases and new programs for Vincennes University, including the Elkhart campus.

(d) The following appropriations are made in addition to those found in P.L.340-1995, Part B.

FOR THE DEPARTMENT
OF EDUCATION-
LOCAL SCHOOL FUNDING

Distribution for

Tuition Support	27,300,000
Special Education	
Preschool	2,860,481
Primetime	16,051,980
Teachers'	
Social Security	
And Retirement	
Distribution	207,785
Special	
Education (S-5)	7,799,458

1997-260-31

SECTION 31. CONSTRUCTION. For the 1997-99 biennium, the following amounts, from the funds listed as follows, are hereby appropriated to provide for the construction, reconstruction, rehabilitation, repair, purchase, rental, and sale of state properties, the purchase and sale of land, including equipment for such properties, and state grants to municipalities for various projects.

STATE GENERAL

FUND 351,983,552

STATE POLICE

BUILDING

FUND

(IC 9-29-1-4) 3,000,000

LAW ENFORCEMENT

ACADEMY BUILDING

FUND

(IC 5-2-1-13) 3,039,700

CIGARETTE TAX

FUND (NATURAL

RESOURCES)

(IC 6-7-1-28.1) 7,307,986

VETERANS' HOME

BUILDING FUND

(IC 10-6-1-7) 9,312,726

POSTWAR

CONSTRUCTION

FUND

(IC 7.1-4-8-1)	26,944,627
FISH AND WILDLIFE FUND	
(IC 14-22-3-2)	3,020,000
BUILD INDIANA FUND	
(IC 4-30-17)	<u>101,799,951</u>
TOTAL	506,408,542

The allocations provided under this SECTION are made from the state general fund, unless specifically authorized from other designated funds by this act. The budget agency, with the approval of the governor, in approving the allocation of funds pursuant to this SECTION, shall consider, as funds are available, allocations for the following specific uses, purposes, and projects:

	Years 1997-99
GENERAL GOVERNMENT	
DEPARTMENT OF ADMINISTRATION	
Preventive Maintenance	3,748,980
State Library Phase II	6,000,000
House Renovation	810,000
Repair and Rehabilitation	5,595,000
Governor's Residence	
Repairs	180,000
DEPARTMENT OF STATE REVENUE	
Preventive Maintenance	317,000
PORT COMMISSION	
Burns International Harbor Dock Completion	5,000,000
Southwind Maritime Center Dock Expansion	1,500,000
Clark Center	1,500,000
STATE BUDGET AGENCY	
Health and Safety Compliance Contingency Fund	11,200,000
Little Calumet River Basin Commission	2,000,000
Lake Michigan Marina Commission	2,000,000
Kankakee River Basin Commission	1,000,000
Indiana Pacers	4,700,000
NCAA	10,000,000
INDIANA SENATE	
Senate Renovation	131,200
DEPARTMENT OF TRANSPORTATION	
NICTD Federal Funds Match	3,000,000

Vigo County Industrial Park Access	2,000,000
Airport Development - Federal Match	1,000,000

The foregoing allocation for the Indiana department of transportation is for airport development and shall be used for the purpose of assisting local airport authorities and local units of government in matching available federal funds under the airport improvement program and for matching federal grants for airport planning and for the other airport studies. Matching grants of aid shall be made in accordance with the approved annual capital improvements program of the Indiana department of transportation and with the approval of the governor and the budget agency.

STATE FAIR COMMISSION

Repair and Rehabilitation	8,526,000
Site Preparation and Development	1,625,000

The foregoing allocation to the state fair board shall be used for the site preparation and development of the property located immediately south of the state fairgrounds that has been transferred to the state fair board by Indiana University-Purdue University at Indianapolis for use as the site of the Center for Agricultural Science and Heritage.

PUBLIC SAFETY AND CONSERVATION

A. PUBLIC SAFETY

INDIANA STATE POLICE DEPARTMENT

Preventive Maintenance	319,600
800 MHZ Radio System	7,500,000
Repair and Rehabilitation	2,680,400

The foregoing allocations for preventive maintenance and repair and rehabilitation for the state police department are hereby appropriated from revenue accruing to the state police building fund under IC 9-29-1-4.

LAW ENFORCEMENT TRAINING BOARD

Preventive Maintenance	154,700
Repair and Rehabilitation	2,885,000

The foregoing allocations for the law enforcement training board are hereby appropriated from the law enforcement academy building fund under IC 5-2-1-13.

ADJUTANT GENERAL

Preventive Maintenance	250,000
Repair and Rehabilitation	3,041,700

B. CORRECTION

WORK RELEASE CENTERS

Preventive Maintenance	92,246
Repair and Rehabilitation	125,000

CORRECTIONAL UNITS

Preventive Maintenance	400,000
NCJ Atum Renovation Phase II	1,900,000
Repair and Rehabilitation	2,074,942

INDIANA STATE PRISON

Preventive Maintenance	1,063,482
Rehabilitation of Perimeter Wall	10,605,000

Repair and Rehabilitation	2,002,329
PENDLETON CORRECTION FACILITY	
Preventive Maintenance	912,450
Renovation "H" Cellhouse Phase I	9,000,000
Repair and Rehabilitation	2,579,750
WOMEN'S PRISON	
Preventive Maintenance	250,000
Repair and Rehabilitation	462,800
PUTNAMVILLE CORRECTIONAL FACILITY	
Preventive Maintenance	771,998
Repair and Rehabilitation	1,661,220
PLAINFIELD JUVENILE CORRECTIONAL FACILITY	
Preventive Maintenance	498,120
Repair and Rehabilitation	3,148,875
INDIANAPOLIS JUVENILE CORRECTIONAL FACILITY	
Preventive Maintenance	297,752
Repair and Rehabilitation	1,899,750
BRANCHVILLE CORRECTIONAL FACILITY	
Preventive Maintenance	315,815
Repair and Rehabilitation	1,102,000
WESTVILLE CORRECTIONAL FACILITY	
Preventive Maintenance	1,091,475
Repair and Rehabilitation	2,752,246
ROCKVILLE CORRECTIONAL FACILITY	
Preventive Maintenance	315,815
Repair and Rehabilitation	408,250
PLAINFIELD CORRECTIONAL FACILITY	
Preventive Maintenance	527,245
Repair and Rehabilitation	2,333,175
RECEPTION DIAGNOSTIC CENTER	
Preventive Maintenance	206,163
Repair and Rehabilitation	650,297
INDUSTRY AND FARM DIVISION	
Preventive Maintenance	101,000
CORRECTIONAL INDUSTRIAL FACILITY	
Preventive Maintenance	476,211
Repair and Rehabilitation	1,679,000
WABASH VALLEY CORRECTIONAL FACILITY	
Preventive Maintenance	763,866
A&E Fees Gymnasium level 4	456,750
M I A M I C O R R E C T I O N A L F A C I L I T Y	
PHASE II A&E Fees	11,276,861

The foregoing allocations for repair and rehabilitation for work release centers, correctional units, state prison, Pendleton correctional facility, women's prison, Putnamville correctional facility, Plainfield juvenile correctional facility, Indianapolis juvenile correctional facility, Branchville correctional facility, Westville correctional facility, Rockville correctional facility, Plainfield correctional facility, reception diagnostic center, correctional industrial facility, and for Wabash Valley correctional facility A&E fees gymnasium level 4 are hereby appropriated from the postwar construction fund established under

IC 7.1-4-8-1.

C. CONSERVATION AND ENVIRONMENT

DEPARTMENT OF NATURAL RESOURCES

STATE MUSEUM

Preventive Maintenance	202,210
Repair and Rehabilitation	850,000

ENFORCEMENT

Preventive Maintenance	190,000
Repair and Rehabilitation	100,000

FISH AND WILDLIFE

Preventive Maintenance	1,658,300
Repair and Rehabilitation	3,020,000

The foregoing appropriation for fish and wildlife repair and rehabilitation is appropriated from the fish and wildlife fund as established by IC 14-22-3-2.

FORESTRY

Preventive Maintenance	1,604,000
Repair and Rehabilitation	3,056,500

HISTORIC SITES

Preventive Maintenance	260,186
Angel Mounds	
Visitor Center	2,000,000
Lanier Mansion	
Visitor Center	300,000
Repair and Rehabilitation	1,047,000

NATURE PRESERVES

Preventive Maintenance	100,000
Repair and Rehabilitation	250,000

OUTDOOR RECREATION

Preventive Maintenance	30,500
Repair and Rehabilitation	250,000

RESERVOIR MANAGEMENT

Preventive Maintenance	1,194,500
Lieber Swimming Pool	2,000,000
Repair and Rehabilitation	6,367,390

STATE PARKS

Preventive Maintenance	3,265,000
Prophetstown - Land Acquisition	
and Construction	10,000,000
Charlestown State Park	4,000,000
Fort Harrison State Park	2,567,222
Falls of Ohio	1,000,000
Repair and Rehabilitation	14,489,400

GENERAL ADMINISTRATION

Repair and Rehabilitation	740,000
Heritage Trust	
Program	5,000,000
Reclaim Coal	
Land Acquisition	5,000,000
Dams - DNR	
(Northeast Indiana)	2,000,000

DIVISION OF WATER

Preventive Maintenance	300,000
Lake Shafer	2,000,000
Shufflebarger Levee	1,200,000
Repair and Rehabilitation	840,000

The foregoing allocations for preventive maintenance for the enforcement, fish and wildlife, forestry, historic sites, outdoor recreation, state parks, and division of water are hereby appropriated from the cigarette tax fund established by IC 6-7-1-28.1.

HOMETOWN INDIANA	5,000,000
WABASH HERITAGE COMMISSION	10,000
WAR MEMORIALS COMMISSION	
Preventive Maintenance	842,494
Repair and Rehabilitation	4,081,000
World War II Memorial	350,000

INDIANA DEPARTMENT
OF ENVIRONMENTAL
MANAGEMENT

Dubois County	
Wastewater Project	2,000,000

FAMILY AND SOCIAL SERVICES
ADMINISTRATION

DIVISION OF
MENTAL HEALTH

EVANSVILLE PSYCHIATRIC
CHILDREN'S CENTER

Preventive Maintenance	41,788
Repair and Rehabilitation	183,243

EVANSVILLE STATE HOSPITAL

Preventive Maintenance	693,000
Repair and Rehabilitation	1,300,000

MADISON STATE HOSPITAL

Preventive Maintenance	889,568
Repair and Rehabilitation	5,154,480

LOGANSPOUT STATE HOSPITAL

Preventive Maintenance	882,000
Repair and Rehabilitation	2,652,614

LARUE D. CARTER MEMORIAL HOSPITAL

Preventive Maintenance	463,050
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RICHMOND STATE HOSPITAL

Preventive Maintenance	1,153,070
Repair and Rehabilitation	2,338,840

NEW CASTLE STATE
DEVELOPMENTAL CENTER

Preventive Maintenance	635,250
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FORT WAYNE STATE
DEVELOPMENTAL CENTER

Preventive Maintenance	1,325,756
Repair and Rehabilitation	2,125,000

MUSCATATUCK STATE
DEVELOPMENTAL CENTER

Preventive Maintenance	1,151,510
Repair and Rehabilitation	2,000,000

NORTHERN INDIANA STATE
DEVELOPMENTAL CENTER

Preventive Maintenance	214,988
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The foregoing allocations for repair and rehabilitation for Evansville psychiatric children's center, Evansville state hospital, and Fort Wayne state developmental center are hereby appropriated from the postwar construction fund under the provisions of IC 7.1-4-8-1.

SPOUSAL ABUSE CENTER

OF SOUTHERN INDIANA	300,000
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DEPARTMENT OF HEALTH

SILVERCREST CHILDREN'S
DEVELOPMENT CENTER

Preventive Maintenance	156,450
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Repair and Rehabilitation	694,450
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SCHOOL FOR THE BLIND

Preventive Maintenance	488,094
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Swimming Pool	1,800,000
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Repair and Rehabilitation	1,963,000
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SCHOOL FOR THE DEAF

Preventive Maintenance	506,520
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Repair and Rehabilitation	1,602,532
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SOLDIERS' AND SAILORS'

CHILDREN'S HOME

Preventive Maintenance	328,860
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Repair and Rehabilitation	1,064,000
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Of the foregoing allocations for preventive maintenance and repair and rehabilitation for the soldiers' and sailors' children's home, \$200,000 is hereby appropriated from the soldiers' and sailors' children's home maintenance fund under the provisions of IC 16-33-4-17 provided that the balance of the fund is \$200,000 or greater.

VETERANS' HOME

Preventive Maintenance	697,331
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Alzheimers Unit	4,950,000
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Repair and Rehabilitation	3,665,395
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The foregoing allocations for the Indiana veterans' home are hereby appropriated from the veterans' home building fund established by IC 10-6-1-9.

VETERANS' AFFAIRS

FOR THE DEPARTMENT

OF VETERANS' AFFAIRS

Cemetery Construction	1,500,000
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EDUCATION

HIGHER EDUCATION

INDIANA UNIVERSITY -

TOTAL SYSTEM

General Repair and Rehab	29,669,052
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PURDUE UNIVERSITY -

TOTAL SYSTEM

General Repair and Rehab	21,528,647
INDIANA STATE UNIVERSITY	
General Repair and Rehab	5,533,208
UNIVERSITY OF SOUTHERN INDIANA	
General Repair and Rehab	824,037
BALL STATE UNIVERSITY	
General Repair and Rehab	7,818,646
VINCENNES UNIVERSITY	
General Repair and Rehab	2,933,168
IVY TECH	
STATE COLLEGE	
General Repair and Rehab	3,343,569
INDIANA UNIVERSITY	
Kokomo Campus	
Science Building (A&E)	917,000
South Bend Campus	
Student Activities Center (A&E)	980,000
Northwest Campus	
Professional Education	
Building (A&E)	1,190,000
INDIANA UNIVERSITY	
PURDUE UNIVERSITY	
AT INDIANAPOLIS	
Classroom Building (A&E)	1,120,000
PURDUE UNIVERSITY	
Calumet Campus (A&E)	
Anderson Building	
Project	8,000,000
Lafayette Campus	
Boiler Upgrade Phase II (A&E)	1,330,000
INDIANA STATE UNIVERSITY	
Power Plant (A&E)	1,190,000
Advanced	
Communication Network	1,000,000
Land Acquisition	1,250,000
UNIVERSITY OF SOUTHERN INDIANA	
Classroom/Laboratory	
Project	8,000,000
VINCENNES UNIVERSITY	
Library Addition	
Project	3,050,000
Jasper Center	
Addition Project	4,120,000
IVY TECH STATE COLLEGE	
South Bend Campus	
Phase II Project	13,300,000
Bloomington Campus	
Instructional Center	
Site Purchase and A&E	2,558,310
The above sums appropriated to Indiana University, Purdue	
University, Indiana State University, University of Southern Indiana,	

Vincennes University, and Ivy Tech State College are in addition to all income of said institutions from all permanent fees and endowments, and from all land grants, fees, earnings, and receipts, including gifts, grants, bequests, and devises, and receipts from any miscellaneous sales from whatever source derived.

BUILD INDIANA FUND

(IC 4-30-17)

FOR THE BUDGET AGENCY

1997-99

INDIANA

TECHNOLOGY FUND

44,000,000

Four million dollars (\$4,000,000) from the Indiana technology fund shall be allocated for the biennium to the budget agency for the development of the state backbone project.

LOCAL PROJECTS

Delaware Co. Juvenile Detention

Facility

300,000

LaPorte Co. Scipio Township

VFD equipment

25,000

LaPorte Co. Center Township

VFD equipment

25,000

Westville VFD

25,000

Michigan City Riverfront Park

development

200,000

LaPorte County Parks

25,000

Angel Mounds Expansion-2006

300,000

Charlestown VFD

12,500

Oregon VFD

12,500

Lexington VFD

12,500

Johnson VFD

12,500

Vienna VFD

12,500

Scottsburg VFD

12,500

Jennings Co. Marion VFD

12,500

Vernon Township (Crothersville)

VFD

12,500

Grassy Fork VFD

12,500

Washington-Jackson VFD

12,500

City of Seymour

Fire Department

12,500

Brownstown VFD

12,500

Seymour refuse recycling

equipment

50,000

Charlestown refuse recycling

equipment

50,000

Scottsburg refuse recycling equipment

50,000

Potawatomi Zoological Society - capital

50,000

Studebaker National Museum - capital

625,000

John Adams High School -

capital

125,000

Franklin County Roads

300,000

Cambridge City infrastructure

improvements	100,000
Milton infrastructure	
improvements	50,000
Centerville infrastructure improvements	70,000
Richmond infrastructure improvements	100,000
Wayne Co. Abington Township Fire Dept	
equipment	5,000
Wayne Co. Washington	
Township Fire Dept equipment	5,000
Jeffersonville- Carnegie	
Library rehabilitation	140,000
Clarksville Historic Trail &	
Community Bldg rehab	140,000
Utica infrastructure	25,000
National Civil Rights Museum	
and Hall of Fame	300,000
Community Park accessibility	
and enhancement (Floyd Co.)	170,000
Riverfront Park accessibility and	
enhancement (Floyd Co.)	130,000
Marshall Co. Polk Township VFD	
equipment	39,285
LaPorte Co. Lincoln	
Township VFD equipment	39,285
City of Plymouth VFD	
equipment	39,285
Marshall Co. Culver-Union	
Township Fire	
Dept. equipment	39,285
Argos water and sewer project	39,285
Knox water and sewer project	39,285
North Judson water and sewer project	39,285
Plymouth Jr. League Baseball	
C-League Diamond -	
Restrooms and concession	
stand	25,000
Indianapolis Neighborhood Housing	
Partnership	300,000
Main Street Storm Sewer - Washington	200,000
Martin Co. Courthouse rehab and	
upgrade	100,000
Haysville Community VFD	
building	50,000
Clay Co. 4-H Fairgrounds Sewer	
System	75,000
Reelsville water project	65,000
Bellmore Fire Department	50,000
Fontanet Fire Department	60,000
Russellville Fire Department	50,000
New East Industrial Child Care	
Center (ECI) (Indpls)	300,000

Greene Co. 4-H Clubs, Inc. Fairgrounds Improvements	50,000
Greene Co. Jackson Township Fire Truck	75,000
Martin County Courthouse	25,000
French Lick Community Building	90,000
Orleans Downtown Revitalization	25,000
Greene Co. Taylor Township - Scotland Park	10,000
Mitchell city park	25,000
Devington Community Development Corporation (Indpls)	100,000
Park - Devington (Indpls)	100,000
Library - Devington (Indpls)	100,000
New Chicago Infrastructure	100,000
Merrillville - Drainage	200,000
St. Joseph Co. Harris Township VFD equipment	75,000
St. Joseph Co. Clay Township VFD equipment	75,000
St. Joseph Co. German Township VFD equipment	75,000
St. Joseph Co. Warren Township VFD equipment	75,000
Vincennes Township VFD equip and facility	150,000
Gibson Co. Patoka Township VFD equip and facility	150,000
Osceola Fire Department safety equipment	15,000
St. Joseph Co. Penn North Fire Department safety equipment	15,000
St. Joseph Co. Penn South Fire Department safety equipment	15,000
Elkhart Co. Baugo Township Fire Department safety equipment	15,000
Town of Osceola street improvements	10,000
City of Mishawaka street improvements	75,000
St. Joseph County street improvements	155,000
Allen County Courthouse restoration	300,000
Sullivan Fire Department truck	75,000
Hymera VFD ambulance	20,000
Knox County Fair Board	15,000
Westphalia Drainage Project	50,000
Daviess County Airport runway	50,000

Jasonville Fire Department truck	50,000
Vigo Co. Prairie Creek Township	
Fire Department truck	20,000
Vigo Co. Prairieeton Township VFD	
equipment	20,000
Town of Sandborn - sidewalk	
repair	25,000
Bird-Gibson Center &	
Athletic Field	100,000
Parke Co. Lyford Township	
VFD	10,000
Vermillion Co. Fairgrounds	
improvements	15,000
Rosedale VFD	10,000
Clinton Feather Creek Flood	
Control	40,000
Fairview Park flood control & street	
fund	20,000
Vermillion Co. Clinton Township	
VFD equipment	10,000
Attica water system	30,000
Attica VFD	5,000
Covington Street Fund	20,000
Covington VFD	5,000
Covington Water Systems	10,000
Veedersburg local road and street	
fund	20,000
Williamsport Water Systems	10,000
Universal VFD	10,000
Montezuma - Reeder Park	
improvements	10,000
Kingman Library	10,000
Rockville local road	
and street fund	10,000
Shirkieville, Libertyville, INS Water	
Company	10,000
New Goshen, Shepardsville	
Fayette Township Water Assn.	10,000
West Lebanon VFD	
equipment	10,000
Cayuga - Lodi River Access Site	5,000
Newport - street repair	10,000
Dana VFD equipment	5,000
Dana local road and street fund	5,000
East Chicago Police Department	
equipment	50,000
East Chicago Fire Department	
equipment	50,000
Gary infrastructure	100,000
National Civil Rights Museum &	
Hall of Fame	50,000

African American Achievers Youth Corp. Bldg/equip	50,000
Evansville Community Action Program-2 vehicles	70,000
Evansville Police Department- video/surveillance cameras	50,000
Evansville- capital expenses for day care providers to low income families	180,000
North East Dubois Fire District tanker truck	80,000
Austin Town Park	75,000
Water Tank (industrial site for Jasper Engine expansion)	175,000
Vigo County Industrial Park	300,000
Lafayette Parking Facility	200,000
Lafayette Long Center renovation	100,000
St. Joseph County road repairs	300,000
Monroe Co./Bloomington Unified Dispatch Center	150,000
Monroe County Fairgrounds	50,000
Bloomington Youth Science Lab	25,000
Indiana Theatre (Bloomington)	150,000
Monroe Co. CAP/Headstart Building	100,000
MCCSC Alternative School - capital	20,000
Harrodsburgh Community Center	15,000
Big Brothers/Big Sisters of Monroe Co. - capital	10,000
Bloomington Animal Shelter - capital	10,000
Former Lake Co. Courthouse exterior renovation	215,000
Town of Hebron Fire Department equipment	85,000
Newton Co. Lake Township Park improvements	15,000
Newton Co. Lincoln Township Park improvements	15,000
Pine Village street repairs	5,000
Earl Park street repairs	5,000
Reynolds street repairs	10,000
Brookston Fire Department truck	55,000
Oxford Fire Department building improvements	80,000
Boswell Fire Department emergency mgt. Equipment	55,000
Independence Historical project	5,000

Benton County Fairgrounds improvements	15,000
White County Fairgrounds improvements	15,000
Newton County Fairgrounds improvements	15,000
South Newton Area Fire Departments "Jaws of Life"	10,000
Albany wastewater system	20,000
Dunkirk City Building	20,000
Dunkirk Glass Museum	15,000
Farmland drinking water system	20,000
Jay County Arts Council Building	50,000
Jay County Fairgrounds	50,000
Parker City drinking water system	20,000
Randolph County 4-H Fairgrounds horse facilities	50,000
Randolph County, Ward Township Fire Services	10,000
Randolph County, White River Township Fire equipment	10,000
Ridgeville fire house	20,000
Salamonie wastewater system	15,000
Posey County Fairgrounds - Community Center	300,000
North Vernon/Jennings County Airport	100,000
Madison Riverfront Development	135,000
City of Madison - Heritage Trails	25,000
North Vernon - Park Theater historic renovation	25,000
Hanover - storm and sewer infrastructure	15,000
LaShonna Bates Family Aquatic Center facility	100,000
Hornet Park Community Center facility	50,000
Beech Grove Police Department storage bldg.	75,000
R/ROSS CDC building (Indianapolis)	75,000
Fort Wayne Headwaters Park Flood Control Project	300,000
Mapleton Fall Creek Housing Development Corp.	100,000
Crooked Creek Multi Service Center	100,000
Butler Tarkington Neighborhood Assn.	50,000
Martin Luther King Neighborhood Assn.	50,000
Harrison Co. - Youth Center	200,000
Palmyra VFD	100,000

Brothers Keeper building (Gary)	100,000
YWCA building fund (Gary)	100,000
African American Achievers Youth Corp, Inc. Bldg (Gary)	100,000
New Chicago Fire Department	50,000
Ophelia Steen Community Center	100,000
Downtown Highland Redevelopment	100,000
Schererville Town Hall	100,000
Warrick Co. Pigeon Township Community Center	25,000
Warrick Co. Pigeon Township Fire Truck	100,000
St. Meinrad Sewer Board	75,000
Perry County Airport	100,000
LaGrange Co. 4-H Club Assn., Inc. Grandstand & Stage	148,686
Kendallville street lights	151,314
UNWA-CDC for commercial and residential infrastructure (Indianapolis)	100,000
MEDIC/BOSS-CDC commercial/residential infrastructure (Indianapolis)	100,000
Mozel Sanders Foundation drug prevention (Indianapolis)	100,000
Boys & Girls Club of Hammond capital expenses	50,000
Hammond Police Dept. Gang Prevention/Drug Awareness capital	100,000
School City of Hammond technology modernization	75,000
Hammond Public Library tech. & automation expenses	75,000
Owen Co. Wayne-Harrison, Montgomery VFD station	50,000
Owen County Courthouse Dome renovation	150,000
Riley wastewater treatment plant	100,000
Owen Valley Sports Complex	25,000
Vigo Co. Linton Township VFD truck	50,000
Riley Recreation League capital expenses	25,000

East Chicago Fire Department equipment	50,000
East Chicago Police Department equipment	50,000
Schererville Wilhem Street development North sidewalks	60,000
Schererville Wilhelm Street development	40,000
Griffith Public Works facility	100,000
Andrew Carnegie Building restoration & conversion	300,000
William Wilson Boys and Girls Club	100,000
Twin Creeks Conservancy District	218,000
South Haven VFD-resurface parking lot	8,000
Haven Hollow Park-resurface parking lot & roadway	16,000
Bonner Sr. Citizen Center bus	44,000
Bonner Sr. Citizen Center resurface parking lot & lighting	14,000
Bloomington - Thomson infrastructure reconfiguration	90,000
Wabash Heritage Corridor	750,000
Selma Park and Recreation Development	85,000
Martin Univ. Bernice Faction Center for Performing Art	100,000
Little Calumet Trail	300,000
Francesville Town Hall	150,000
Prophetstown Museums	375,000
Noah's Ark Children's Civic Center - Jeffersonville	200,000
LaPorte County Fair Board	150,000
Monon Civic Center	100,000
Freetown Village	100,000
Owensville Water Tower	100,000
Porter County Memorial Opera House and Jail Museum	250,000
Stinesville Downtown	30,000
Monon Town Park Shelter	32,000
Ellettsville Downtown	150,000
Mount Olive and Baptist Missionary Shelter	25,000
Celery Bog Nature Center	150,000
Dayton Summer Recreation Area	50,000
Brown County Library	125,000
City of Petersburg	

Street Project	150,000
North East Side	
Neighborhood Assn.	50,000
Crawford County Community	
Center and 4-H Park	150,000
Tippecanoe County Haz-Mat	
Response Team	
Equipment	120,000
Marion County Children's	
Guardian Home	50,000
Veteran's Home, Portrait	
Restoration	150,000
Bendix Woods County	
Park-Nature Center	30,000
New Harmony Flood	
Control project	424,500
NICTD - High Speed	
Rail Feasibility	150,000
City of Lake Station - Fire	
Department Pumper	150,000
Burlington Fire	
Department - Pumper Truck	140,000
Brown Co. Washington	
Township VFD	100,000
LaCross Fire Station	250,000
Wheatfield Fire	
Department - equipment	20,000
Independence Hill	
Conservancy District	174,000
Pine Lake Flooding &	
Storm Sewer	
Separation Project	300,000
Ireland-Madison Township	
Conservancy	
District Wastewater	500,000
Cayuga - Wastewater	
Collection & Treatment	
System	900,000
Oakland City Sewer Extension	50,000
Eastland-Richland Sewer	
Project	500,000
Town of Geneva,	
Adams County	136,764
Easton VFD,	
Delaware County	50,000
Van Buren Township	
FD, Summitville,	
Madison Co.	25,000
Gaston VFD,	
Delaware Co.	25,000
Lewisville FD,	

Henry Co.	150,000
Cadiz/Harrison Township FD	
Henry Co.	25,000
Mooreland VFD, Henry Co.	25,000
Madison Township FD, Mulberry, Clinton Co.	50,000
Center Township FD, Marion & Grant Counties	50,000
Perry Township Trustee, Ligonier, Noble Co.	87,493
Allen Township, Avilla, Noble Co.	40,000
Albion VFD, Noble Co.	50,000
Bright VFD, Lawrenceburg, Dearborn Co.	60,000
Hogan Township VFD, Dearborn Co.	60,000
Moorefield VFD, Vevay, Switzerland Co.	60,000
Jackson County EMS, Seymour, Jackson Co.	110,250
Jackson Township FD, Hymera, Sullivan Co.	50,000
Jasonville FD, Greene Co.	50,000
Vincennes Township FD, Vincennes, Knox Co.	50,000
Lewis Township FD, Coalmont, Clay Co.	50,000
Curry Township FD, Farmersburg, Sullivan Co.	50,000
Miami Township FD, New Waverly, Cass Co.	25,000
Harrison Township, Lucerne, Cass Co.	80,000
Town of Leesburg Wastewater	

Treatment, Kosciusko Co.	200,000
East Morgan Street Drainage Improvements, Martinsville, Morgan Co.	150,000
Monrovia Wastewater/Stormwater Disposal System, Morgan Co.	100,000
Town of Vera Cruz Waterworks System, Wells Co.	100,000
Gaston Storm Sewer Improvements, Delaware Co.	48,000
Cumberland Wastewater Treatment Plant, Marion Co.	200,000
Public Water System Renovation, Lewisville, Henry Co.	100,000
Commerce Drive & Canary Ditch Extension, Franklin, Johnson Co.	150,000
Attica Sewer Project, Fountain Co.	100,000
Orange Township Water Extension, Connersville, Fayette Co.	100,000
Pittsboro Wastewater Treatment Plant Improvement, Hendricks Co.	250,000
Garrett Carper North Drain Reconstruction, Garrett, DeKalb Co.	100,000
Turkey Creek Regional Sewer District, Cromwell, Kosciusko County	250,000
City of Richmond Downtown Renovation, Wayne Co.	100,000
Fortville GIS System Hancock County	50,000
Barbee Lakes	

Conservancy District, Kosciusko Co.	200,000
Parker City Waterworks Improvement Project, Randolph Co.	75,000
Centerville Water & Wastewater Expansion, Wayne Co.	50,000
Millerburg Washington Street Water Main Replacement, Elkhart Co.	35,000
Shelburn US 41 Sanitary Sewer Extension, Sullivan Co.	75,000
Kelso Creek Drainage Project, Vincennes, Knox Co.	75,000
Main Street Water/Sewer Line, Logansport, Cass Co.	120,000
France Park Wastewater Treatment Project, Logansport, Cass Co.	200,000
Tri-Lakes Regional Sewer District, Columbia City, Whitley & Noble Counties	300,000
Roanoke Waterworks Improvements, Huntington Co.	300,000
Huntington St. Joe Drainage & Road Project, Huntington Co.	250,000
South Whitley Sewer Main Refurbishing, Whitley Co.	400,000
Blue Lake Sewer Wastewater, Churubusco, Whitley Co.	100,000
Shirley Park & Community Center, Henry Co.	125,000
Wilbur Wright Birthplace Preservation,	

Mooreland, Henry Co.	25,000
Hope Summer Playground, Bartholomew Co.	50,000
Flatrock Fire Station, Shelby Co.	100,000
Reconstruction of South Street, Town of Hope, Bartholomew Co.	200,000
Decatur County Fairgrounds New Fire Station, Coatesville, Hendricks Co.	150,000
Indiana Hotel Restoration/Embassy Theatre Stage Renovation, Fort Wayne, Allen Co.	75,000
Steuben Co. YMCA Building	225,000
LaGrange Co. Fairgrounds Grandstand and Stage	100,000
Marion County Children's Guardians Home, Marion Co.	75,000
Hornet Park Community Center, Beech Grove, Marion Co.	500,000
Ben Davis Youth Sports Park, Indianapolis, Marion Co.	50,000
Marion County Playground Rehabilitation	75,000
Metamora Public Restrooms, Franklin Co.	500,000
McBride Baseball Stadium, Richmond, Wayne Co.	60,000
Cambridge City Golay Community Center,	350,000

Wayne Co.	75,000
Jay County	
Courthouse Renovation	100,000
Dublin Softball Field,	
Wayne Co.	20,000
Elco Performing	
Arts Center, Elkhart, Elkhart Co.	350,000
Elkhart County Fairground Expansion	75,000
Newburgh Town Hall, Warrick Co.	100,000
Jackson County Fairground Exhibit Building	50,000
Drainage System Bourbon, Marshall Co.	250,000
Noblesville Parks - River Walkway	100,000
City of Southport Park	25,000
City of Greenwood Park System	50,000
Lawrence County Courthouse Renovation	100,000
Greene County 4-H Club Fairgrounds	
Improvements, Loogootee	75,000
Fulton County Courthouse	125,000
City of Logansport, Salt	
Storage Building,	
Cass County	50,000
Etna-Troy Township	
Community Center,	
Columbia City	150,000
Whitley County YMCA	75,000
Woodburn Community	
Park Renovation,	
Allen County	60,000
Allen County	
Fairgrounds	50,000
St. Joseph Old	
County Courthouse	
Renovation	200,000
Mishawaka Penn Library,	
St. Joseph County	350,000
Garfield Park Recreation	
Center	500,000
Posey County	
Community Center	50,000
City of Selma Ball	
Field Complex,	
Delaware County	25,000
Zionsville Main	
Street,	
Boone County	200,000
Town of Galveston	
Community Center,	
Cass County	100,000
Huntington County	
Courthouse Repair	100,000
Allen County Courthouse	350,000

Potawatomi Zoological, St. Joseph County	50,000
Sullivan County Modernization of Sewer System, Restrooms & Showers	150,000
Batesville Fire Station, Ripley County	150,000
Gregg Township FD, Morgan Co.	25,000
Martinsville Swimming Pool, Morgan Co.	150,000
Luce Township FD, Spencer Co.	50,000
Union Township St. Joe Old School Project	75,000
Cedar Lake Enhancement, Lake Co.	300,000
Indiana Department of Transportation- Airport Improvement Program Expense	1,748,949

The above appropriation for the Indiana department of transportation airport improvement program is made in lieu of the \$3,000,000 appropriation from the build Indiana fund made to the department of transportation for Airport Development State Match in P.L.240-1991(ss2). The appropriation is to be used for programs provided for in IC 8-21-11.

Cromwell Infrastructure Improvements	
Noble County	100,000
Aboite Township Parks, Allen County	125,000
Churubusco Town Square Improvements	
Whitley County	75,000
Chesterton Park Renovation, Porter County	50,000
Porter County Fairgrounds	200,000
Bloomington Fairgrounds, Monroe County	70,000
Harrodsburg Community Center Monroe County	40,000
Bloomfield Fire Department Greene County	150,000
Mooreville Pool Project, Morgan County	150,000
Clark's Creek Sewer,	

Hendricks County	200,000
Brookmore Sewers,	
Morgan County	75,000
Fort Benjamin	
Harrison Reuse	
Authority,	
Marion County	500,000
Crawfordsville District	
Public Library	
Montgomery County	75,000
Wingate Sidewalk Repair	
Montgomery County	50,000
West Point Fire	
Department Equipment	
Tippecanoe County	50,000
Madison Township Fire	
Department	
Montgomery County	50,000
Alamo Street Repair,	
Montgomery County	50,000
Military Memorial	
Pavilion in Jackson	
Morrow Park	
Kokomo,	
Howard County	55,000
Russiaville Fire	
Department,	
Howard County	100,000
Whitestown Main	
Street Project	25,000
Zionsville Storm	
Drain	60,000
Town Hall &	
Shelter Project	45,000
Head Creek	
Wetlands Land	
Acquisition	
LaPorte County	300,000
Franklin Fairgrounds	
Improvement Project	
Johnson County	150,000
Kirklin Town Hall,	
Clinton County	125,000
Camp Cullen Boy	
Scout Camp,	
Clinton County	150,000
Northwest Way	
Park Project	
Marion County	
Pike Township	100,000
Burney Volunteer	

Fire Department, Fire Truck, Decatur County	100,000
East Enterprise "Jaws of Life" Switzerland County	10,000
Greensburg Storm Sewer, Highway 46 Decatur County	75,000
New Point Fire Department, Decatur County	15,000
Batesville Park, Playground Equipment Ripley County	25,000
Moorefield Fire Department, Switzerland County	75,000
4-H Park, Wells County	100,000
Uniondale Fire Department, Wells County	75,000
Ossian Community Park, Wells County	75,000
Zanesville Streets, Wells County	50,000
Martinsville Street Project (Phase II) Morgan County	450,000
New Pumper Tanker Fire Truck, Green Township/Martinsville, Morgan County	25,000
New Fire Truck, Paragon, Morgan County	25,000
Allen Township Fire Equipment, Macy, Miami County	65,000
Denver Park Renovation, Miami County	35,000
Wildcat Township Fire Equipment, Windfall Tipton County	50,000
Peru Redevelopment Commission, Riverfront Walkway, Miami County	100,000
Macy Park Renovation, Miami County	20,000
White River Township	

Fire Equipment, Johnson County	125,000
White River Township	
Fire Station, Johnson County	150,000
Science Central, Allen County	300,000
New Fire Station, Carthage, Rush County	250,000
Park Development on Heimann Property, Connersville, Fayette County	40,000
Industrial Park, Northwest Corner of SR 1 and I-70 Wayne County	375,000
Hamilton Lake Dam	50,000
Fremont Road Improvements	50,000
Sewer Line Extension from Airport to City Line, Auburn, DeKalb County	75,000
Wayne Street and Belfountain Road Improvement Projects, Hamilton, Steuben County	25,000
Hudson Volunteer Fire Department, Firefighting Equipment, Steuben County	10,000
Rieke Park Auburn DeKalb County	50,000
Stroh Park and Recreation Fund Steuben County	10,000
Helmer Fire Department, Equipment Steuben County	20,000
Hudson Town Hall Renovation, Steuben County	10,000
Shelby County Infrastructure	100,000

Shelbyville Infrastructure, Shelby County	100,000
Carnegie Project, Anderson Fine Arts Center, Madison County	125,000
Big Duck Creek, Flood Control, Elwood Madison County	100,000
Water Supply Well Pumps and Water Tower Storage Tank, Edgewood, Madison County	50,000
Potato Creek State Park, Roads, St. Joseph County	100,000
Tri-County Mental Health Center, Marion County	300,000
Cass County Parks Department	275,000
Simonton Lake Conservancy District, New wastewater treatment facility, Elkhart County	450,000
New Franklin Township Library, Marion County	300,000
Carver Community Center, Kokomo Howard County	300,000
Dalman Road Project, Allen County	500,000
Atlanta Fire Station, Hamilton County	50,000
Noblesville Seminary Park, Hamilton County	10,000
White River Park, Fishers, Hamilton County	75,000
Cicero Storm Sewer, Hamilton County	100,000
Madison Township Volunteer Fire Department,	

Fire Truck, Hoagland, Allen County	125,000
Decatur Road Expansion Project, Adams County	30,000
Preble Township, Fire Truck, Adams County	125,000
Town of Magley Urban Drain Construction Project, Adams County	15,000
Berne Fire Station, Adams County	100,000
Jackson Township Fire Truck, Sidney, Kosciusko County	125,000
Silver Lake Municipal Water Project Kosciusko County	70,000
Wabash City Hall, New Elevator, Wabash County	50,000
Middletown, New Park, Henry County	50,000
Middletown Sewer Project, Henry County	175,000
Geographic Information System (GIS), New Castle, Henry County	50,000
Greensboro Fire Truck, Henry County	75,000
New Castle Youth Center Expansion Henry County	100,000
Prophet Street, South Railroad Street, and Main Street Reconstruction, Battle Ground, Tippecanoe County	275,000
DeMotte Water Project, Jasper County	50,000
Francesville Fire	

Department, Pulaski County Wheatfield Fire	25,000
Department, Jasper County Remington Fire	50,000
Truck, Jasper County Medora Street	25,000
Repairs, Jackson County Blue River	110,000
Services and Industries Project Washington County	130,000
Vallonia Fire Truck, Jackson County	110,000
Lebanon Fire Station, Boone County	125,000
Carmel City Center Project Hamilton County	150,000
Cardinal Greenway Rails to trails Project involving Marion, Gas City, & Jonesboro, Grant County	225,000
Sweetser Switch Walkway, Rails to Trails Project, Grant County	25,000
Upland Railroad Station, Historic Renovation, Grant County	25,000
Gas City Park Bandshell Grant County	50,000
Alexandria Beulah Park Madison County	25,000
Fairmount Playacres Park Walkway Grant County	30,000
Jonesboro Park, Grant County	20,000
Converse Bordermen Park	

Miami County	20,000
Swayzee Park,	
Grant County	20,000
Middlebury Wastewater	
Treatment	
Plant,	
Elkhart County	250,000
Avon Town Hall,	
Hendricks County	275,000
Billy Sunday	
Museum,	
Winona Lake	
Kosciusko County	350,000
Boys and Girls	
Recreational Center	
Blackford County	225,000
Youth Sports	
Field, Marion	25,000
Van Buren	
Infrastructure	25,000
Speedway Sewer	
Improvement Project	
Marion County	130,000
Chapelhill Park,	
Marion County	60,000
Wayne Township/Clermont	
Lions Club Park	
Marion County	10,000
Wayne Township	
Fire Training Tower	
Marion County	75,000
Turning Point	
(Domestic Violence	
Center)	
Columbus,	
Bartholomew County	125,000
Hobart Sewer Project	50,000
Foundation for Youth	
(Cherry Street	
Youth Facility)	
Columbus,	
Bartholomew County	125,000
Brown County	
Volunteer	
Fire Department,	
Fire Truck	125,000
Attica Volunteer	
Fire Department	5,000
City of Hammond	
Downtown Renewal,	
Lake County	100,000

Green Acres Drinking Water Project	300,000
City of Goshen, Teen Center	75,000
Evansville Police Department Surveillance Camera	35,000
City of Gaston, Delaware County	48,000
Jasper County Airport Improvement Hanger Project	150,000
Town of Medaryville Park Project, Pulaski County	25,000
Greenwood Municipal Airport Terminal, Johnson County	175,000
Jasper County Fairground Improvement, Jasper County	150,000
Evansville Community Action, Vanderburgh County	50,000
Finley-Scott House, Wayne County	50,000
Vanderburgh County- Evansville Foreign Trade Zone	1,500,000
South Bend-St. Joseph College Football Hall of Fame	500,000
INDOT-Public Transportation Capital Match	1,000,000
Housing Trust Fund McCordsville Water Project Hancock Co.	600,000
City of Dunkirk Ball-Foster Industrial Project, Jay County	100,000
	1,000,000

1997-260-32

SECTION 32. The trustees of Indiana University, Purdue University, Indiana State University, Ball State University, and Ivy Tech State College may issue and sell bonds under IC 20-12-6, subject to the approvals required by IC 20-12-5.5 and IC 23-13-18, for the following projects so long as for each institution the sum of principal costs of any bond issued does not exceed the total authority listed below for that institution:

INDIANA UNIVERSITY

Bloomington Campus	
Neal-Marshall Theater Project	21,000,000
Graduate School of Business	12,000,000
Southeast Campus	
Life Science Building	9,250,000

INDIANA UNIVERSITY PURDUE

UNIVERSITY AT INDIANAPOLIS

Herron Art	
School/Law Building	14,000,000

The above bonding authority for the Indiana University Purdue University at Indianapolis Herron Art School/Law Building is in addition to all other bonding authority previously authorized for the same project.

PURDUE UNIVERSITY

West Lafayette Campus	
Food Science Building	10,500,000
Boiler Upgrade Phase I	16,000,000

The above bonding authority for the West Lafayette Campus Food Science Building is in addition to all other bonding authority previously authorized for the same project.

Calumet Campus	
Classrooms	1,800,000

The above bonding authority for Calumet Campus Classrooms is in addition to all other bonding authority previously authorized for the same project.

Fort Wayne Campus	
Science Building	6,580,000

The above bonding authority for the Fort Wayne Campus Science Building is in addition to all other bonding authority previously authorized for the same project.

INDIANA STATE UNIVERSITY

Steam Condensate Distribution System	11,000,000
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BALL STATE UNIVERSITY

North Quadrangle Building	24,612,575
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IVY TECH STATE COLLEGE

Lafayette Campus	
Ross Road Building	14,100,000

In addition to the above listed academic projects, the trustees of Indiana University and the University of Southern Indiana may issue and sell bonds under IC 20-12-6, subject to the approvals required by IC 20-12-5.5 for the following projects, so long as the costs of acquiring, constructing, remodeling, renovating, furnishing, or equipping such projects financed by any series of bonds issued does not exceed the total authority listed below for the projects. These projects are not eligible for fee replacement.

INDIANA UNIVERSITY

Bloomington Campus	
Auditorium Renovation, Phase I	12,500,000

UNIVERSITY OF SOUTHERN INDIANA

Wellness/Fitness Recreational Facility	3,500,000
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1997-260-33

SECTION 33. On the twenty-fifth day of each month, the auditor of state shall transfer from the state general fund to the local road and street fund established by IC 8-14-2-4 for fiscal year 1997-98 four million one hundred sixty-six thousand six hundred sixty-seven dollars (\$4,166,667) and for fiscal year 1998-99 four million one hundred sixty-six thousand six hundred sixty-seven dollars (\$4,166,667). The transfers required under this SECTION are annually appropriated from the state general fund.

1997-260-34

SECTION 34. The budget agency may employ one (1) or more architects or engineers to inspect construction, rehabilitation, and repair projects covered by the appropriations in this act or previous acts designated in this act.

1997-260-35

SECTION 35. If any part of a construction or rehabilitation and repair appropriation made by this act or any previous acts has not been allotted or encumbered before the expiration of two (2) biennia, the budget agency may determine that the balance of the appropriation is not available for allotment. The appropriation may be terminated and the balance may revert to the state general fund if the original appropriation was made from the state general fund.

1997-260-36

SECTION 36. (a) The general assembly finds that the state needs construction, equipping, renovation, refurbishing, or alteration of the following correctional facilities for use by the department of correction:

- (1) One (1) additional medium security correctional facility for adult males, also known as phase I of the Miami Correctional Facility.
- (2) One (1) additional correctional facility for male juveniles.
- (3) One (1) special needs facility that is converted from an existing state institution.

(b) The general assembly finds that the state will have a continuing need for use and occupancy of the correctional facilities described in subsection (a).

(c) The general assembly authorizes the state office building commission to provide the correctional facilities described in subsection (a) under IC 4-13.5-1 and IC 4-13.5-4, including the borrowing of money or the issuance and sale of bonds, or both, under IC 4-13.5-4, subject to the approval of the budget agency after review by the budget committee.

(d) The general assembly finds that the State needs the construction of a state museum facility and authorizes the state office building commission to provide the museum under IC 4-13.5-1 and IC 4-13.5-4, including the borrowing of money or the issuance and sale of bonds, or both, under IC 4-13.5-4, subject to the approval of the budget agency after review by the budget committee.

1997-260-37

SECTION 37. The state armory board is authorized to transfer three hundred fifty thousand dollars (\$350,000) to the Indiana war memorials commission for use in creating a historical display portraying the role of the militia and the national guard in defense of our nation.

1997-260-97

SECTION 97. IC 6-1.1-19-5.1, as amended by this act, applies only to property taxes first due and payable after December 31, 1997. IC 6-1.1-19-5.1 and IC 20-8.1-6.1-9, both as amended by this act, apply only to school years beginning after June 30, 1996.

1997-260-98

SECTION 98. The auditor of state shall distribute the difference between the appropriation for calendar year 1996 in effect January 1, 1996, and the appropriation for calendar year 1996, contained in IC 4-30-17-3.5, as amended by this act, based on the uniform disbursement percentage under IC 6-6-5-9.5 that was applied in determining the amount of motor vehicle excise tax replacement money to be disbursed to each county in calendar year 1996. The auditor of state shall distribute the increased appropriation for calendar year 1996 in a lump-sum distribution before September 1, 1997.

1997-260-99

SECTION 99. (a) On July 1, 1997, the auditor of state shall transfer five million dollars (\$5,000,000) from the hazardous substances response trust fund established by IC 13-25-4-1 to the environmental remediation revolving loan fund established by IC 13-19-5-2.

(b) On July 1, 1998, the auditor of state shall transfer two million five hundred thousand dollars (\$2,500,000) from the hazardous substances response trust fund established by IC 13-25-4-1 to the environmental remediation revolving loan fund established by IC 13-19-5-2.

(c) On July 1, 1999, the auditor of state shall transfer two million five hundred thousand dollars (\$2,500,000) from the hazardous substances response trust fund established by IC 13-25-4-1 to the environmental remediation revolving loan fund established by IC 13-19-5-2.

(d) This SECTION expires July 2, 1999.

1997-260-100

SECTION 100. Notwithstanding P.L.340-1995, the appropriation in P.L.340-1995 of one million six hundred ninety-one thousand dollars (\$1,691,000) is canceled for the Armory-Marion joint venture and is reappropriated to the Marion, Grant County Community Complex/Armory Campus.

1997-260-101

SECTION 101. (a) IC 21-3-11, as added by this act, applies only

to reporting periods beginning after June 30, 1997. The department of education shall make the initial distribution of alternative education program grants under IC 21-3-11, as added by this act, before March 1, 1998, for the reporting period beginning after June 30, 1997, and ending before January 1, 1998.

(b) The Indiana state board of education may adopt guidelines to govern alternative education programs after the effective date of this SECTION. A guideline adopted under this SECTION expires on the earlier of the following:

(1) The date that another guideline or a rule adopted under IC 4-22-2 supersedes the guideline.

(2) July 1, 1998.

(c) This SECTION expires July 2, 1998.

1997-260-102

SECTION 102. (a) As used in this SECTION, "department" refers to the department of education.

(b) The department shall conduct a study of alternative education programs. Not later than December 1, 1998, the department shall submit a written report evaluating the feasibility and effectiveness of alternative education programs to the budget committee. Funds for the study shall come from appropriations for alternative education programs.

(c) This SECTION expires December 31, 1998.

1997-260-103

SECTION 103. (a) As used in this SECTION, "fund" refers to the electronic and enhanced access fund established by IC 4-5-10-5, as added by this act.

(b) There is appropriated to the budget agency one million five hundred thousand dollars (\$1,500,000) from the lottery and gaming surplus account of the build Indiana fund that may be allotted for deposit in the fund under this SECTION.

(c) At the request of the secretary of state and upon the terms and conditions agreed to by the budget agency after review by the budget committee, and under the conditions fixed by the budget agency after review by the budget committee, the budget agency after review by the budget committee shall allot money to the fund from the appropriation made by this SECTION.

(d) Notwithstanding IC 4-5-10, as added by this act, fees collected by the secretary of state for electronic and enhanced access to information under IC 4-5-10-2, as added by this act, and not currently needed to meet the obligations of the fund may be deposited in the lottery and gaming surplus account of the build Indiana fund until the lottery and gaming surplus account of the build Indiana fund is fully reimbursed, it being the intent of the secretary of state and the general assembly that the lottery and gaming surplus account of the build Indiana fund be reimbursed as soon as practicable for all funds appropriated under this SECTION.

1997-260-104

SECTION 104. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity of that provision does not affect other provisions of this act that can be given effect without the invalid provision.